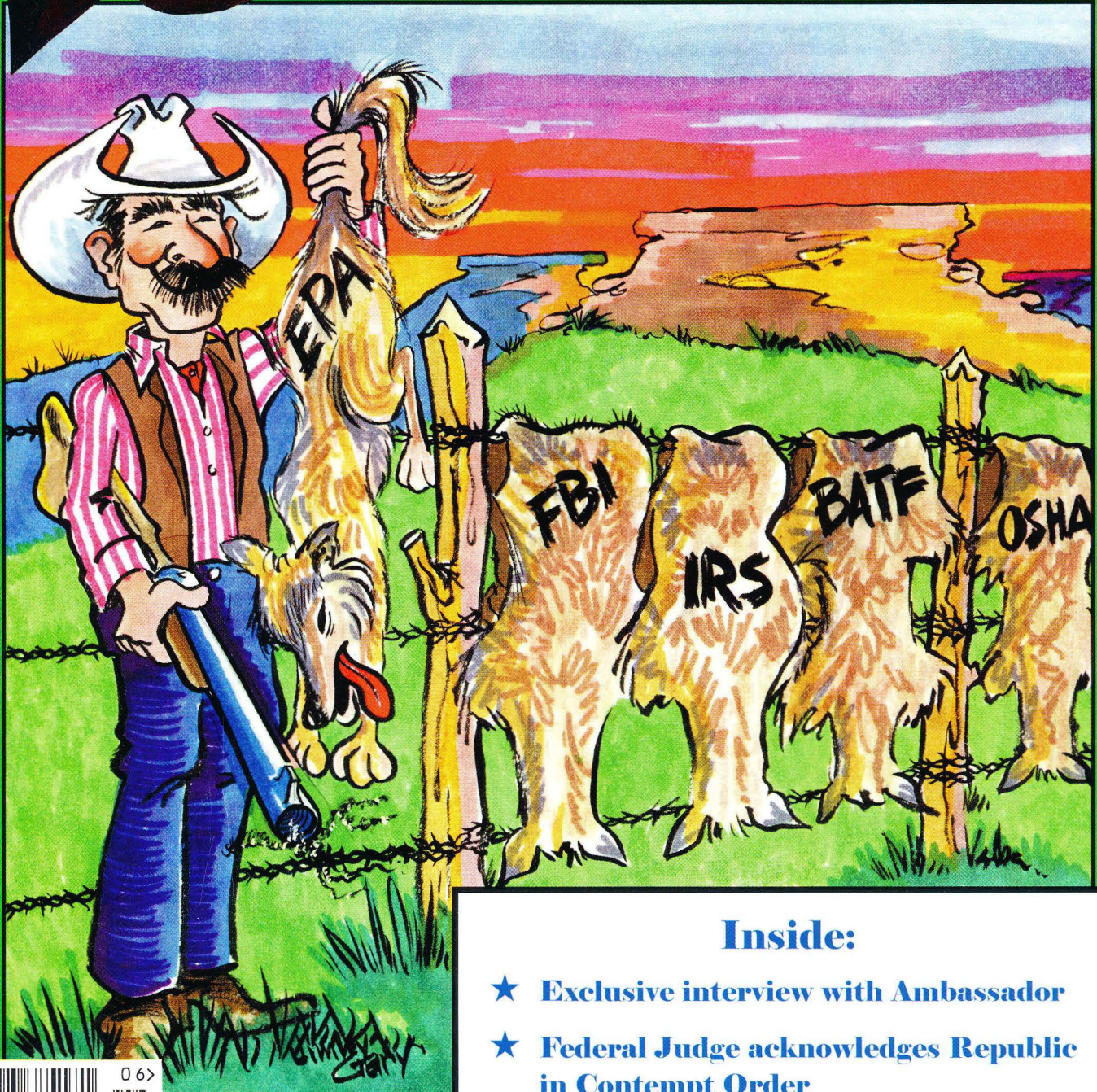


Republic of **TEXAS** MAGAZINE

\$2.50 June 1996



Inside:

- ★ Exclusive interview with Ambassador
- ★ Federal Judge acknowledges Republic in Contempt Order



Republic of Texas Magazine

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publication dedicated to informing citizens
about the Republic of Texas

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The cover:

Jimmy Gary has done it again with a satirical stab at what we don't need in the Republic. Recognition for the cover theme goes to Charlotte Greguski of Dallas, who called a few weeks ago, suggesting we consider "Texas Lore" for our cover. She gave an example... coyote hides hanging on a fence... labeled with federal agencies citizens will no longer have to worry about under the new Republic of Texas. For her winning idea, Charlotte gets a one year subscription on us!

How should we write our Constitution?

Part 2

Charles W. Duncan

Let's start with a quick review of last month's article. First, a Constitution should contain the rules under which a government can and cannot operate.

Second, we said that a government, **any** government, is made up of people just like you and me. But what makes a government unique is that it can, and always will, make rules (laws) and enforce them with fines, imprisonment, even death. And it has people with guns who go around and make sure you obey those rules (laws).

And finally, I stated that for me the basic premise I operate under, and want my government to operate under too, is that no one person or group of people can egress upon or take away the rights or property of anyone else by force or fraud.

This should give us an idea both of what a constitution is suppose to do, as well as an operating definition of what is a government.

We know that a government is different from all other groups, in that it has the authority to use force. The question then becomes, what is the legitimate use of that power or force by our government? Is it **only** to protect you, and I, and then if, and only if, our rights and property are taken from us? Or, do we want our government to do more than just this?

I believe that one possible legitimate job for our national government is to provide for our national defense. Another is to represent our country and our citizens outside the boundaries of our nation, and assure that our rights are protected.

Let's for the moment assume that this is all we want our national government to do for us. How do we, the citizens, via our Constitution, set up rules that will determine when our national government is using this power in a legal way? And equally important, what steps do we take in writing our Constitution to insure that at no time in the future can it overstep the specific boundaries of that power and force we have assigned it?

We need first of all to define both for ourselves now and later in writing in our constitution what it is we want our government to do. Let's begin with "...provide for our national defense."

Do we need more than just this statement? Is this enough? Do we all know **exactly** what this means? Is it so clear that in future years that there will be no confusion over it's meaning or what limits we are setting for this national defense?

(Continued on Page 2)

About this magazine

The response to our first edition last month was nothing short of phenomenal! Charlie and I had no idea how the magazine would be received or how many copies we would need.

He kept arguing for a higher printing... I kept counseling for a lower number... mainly trying to stay within our extremely limited printing budget. Well, the first week of May we were sold out, and I'll use this space to publicly admit that my partner was, if not prophetic, at least in tune with those who rushed to get copies of the **Premier Edition**. And to all those who did, we thank you!

Not only is it extremely gratifying to have produced a product that is well received, and to have people purchase the product with their hard earned cash, but even more important has been the comments from readers... inspiring us to stretch out for a better product.

So, those of you who have copies of the **Premier Edition** will notice that this month we printed our inside pages on a higher quality paper, and increased the number of pages. Other improvements will be added as our revenue provides. We are dedicated to publishing a monthly magazine that meets the high expectations of our readers.

We realize that many people who purchased the magazine did so to use as an educational tool to help friends and family share the hope of independence, freedom and liberty. And it is for that reason that we will devote extra attention to publishing information to assist those "newcomers" to the Republic. It will take special care to balance the needs of those new to the Republic, and at the same time avoid repeating old stuff that many of you already know. This second edition is our first attempt at that balancing act. Your response is important. Are we meeting those needs? What can we do that will make it better?

Wes

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Freedom to speak, freedom to write...

How I see the Republic of Texas

by Steven Crear, Sr.

I've had the pleasure of seeing many interesting things in my life, and being part of some exciting situations. But, to watch a living wonder in motion is an honor indeed.

I am referring to the Republic of Texas and its citizens.

I have always known that, "God gave dominion to man over the fish of the seas, the fowls of the air, over the cattle and over all the earth and over every creeping thing that creepeth upon the earth". The only way that one man can exercise dominion over another man, whether it be an individual, city, state, or federal government, you have to convince and produce in the minds of the people that they are sub-human. Only at that point can you exercise dominion over them. If

you would notice, God never gave dominion to man to have dominion over men.

This is a truth I have personally believed and lived by. And what I have found out is that this belief goes for all the citizens of the Republic of Texas. When I first learned about the Republic of Texas I was skeptical about them. When I began to read the legitimate documentation that had been legally filed by the Republic of Texas, and later I personally talked to citizens like Douglas Saint, Darrell Franks, Donald Varnell, Archie Lowe, Rick McLaren, and Patricia Braun, M.D., who always seemed to have time to listen to me and my questions, I realized these people were not crazy, but some of the greatest men and women who are the true seekers of freedom that I have ever met in my life.

(Continued on Page 3)

What do we want government to do?

(Continued from Inside Front Cover)

Clearly, such a statement is just not that specific or clear that any two people could agree 100% on what it means and what its limits are. So clarity and specificity are needed. How about adding something like, "...and have an Air Force of not more than 100 jet planes?"

Oops! - what happens when jets are not the latest technology? Let's suppose someone comes up with anti-gravity. Does this mean our Air Force cannot have anti-gravity planes? Or does it mean that there is no limit on the number of anti-gravity craft they can have? Either interpretation I propose would be incorrect.

So we now know we can't specify **exactly** what will be and won't be in existence for the future. It just doesn't work.

Obviously then we need to be very clear and very specific without being too specific. We need to be narrow enough to tie the hands of those in the future from abusing the power and force we give them, without at the same time binding those same hands for them and us so much that the job we set cannot be accomplished.

What would happen if we set up standards, oh like, the military can never use people who aren't

volunteers and they can't spend more than 5% of the GNP? Is there some way that a future government could "interpret" this to mean something other than what it says on the surface today? I suspect there is, but I think we are narrowing in upon some of the ways that in writing our constitution we can be specific without tying the hands of future citizens and governments.

Rather than just going on with defining national defense, let me mention instead some of the other possible legitimate functions of a national government.

Most would have in their list national defense of course; international relations which would include treaties; a judiciary; and some form of a legislative and executive branches. Is there more we want for our national government to do? Do we want them to even do any of these tasks?

What I'd like is some feedback on what the people of Texas want their national government to do. As those comments come in, in future parts of this series, we'll discuss the pros and cons of each of them, as well as to suggest wording for various parts of a model constitution for public scrutiny.

Next month: Part 3

Freedom to speak, freedom to write...

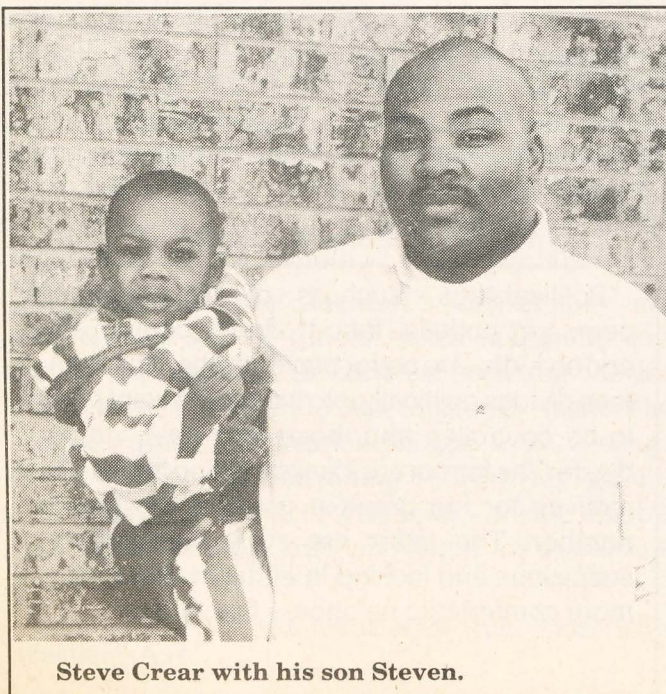
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I have often found in the beginning, a lie would usually have more people supporting, but truth always seems to find a way to climb that most difficult mountain. In this case, the truth is the Republic of Texas. Sooner or later truth finds itself at the top of that mountain where it makes itself know to the world and no one can deny it.

Another interesting fact, is how God's grace works. Whenever the light of freedom is about to be extinguished in parts of the world, God always opens up another door of the light of freedom burning in the hearts of men and women. Such is the case for the citizens of the Republic of Texas.

I finally realized, after being in the company of men and women of the Republic of Texas, who they really are. They are futuristic pioneers of freedom. I knew then I had to switch my entire family's citizenship from the United States of America to the Republic of Texas, an umbrella of freedom. Hats off to the brave men and women of the Republic of Texas. A nation born out of necessity. GOD BLESS THE REPUBLIC OF TEXAS!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Editor's Note: Brother Steve Crear is himself one of those heroes he talks so eloquently about. He works with Spearhead Ministries in Dallas.



Steve Crear with his son Steven.

Republic needs political support

All these developments you write of are interesting but without solid and widespread support among the general citizenry which currently occupy the 'soil of the Republic of Texas' [often called political support]. The many legal arguments made are simply vehicles to a destination where few want to go.

The history of the law is full of arguments which could give credence to either side of the issue of the independence of the Republic of Texas. But until there is sufficient POLITICAL clamor for putting forth those arguments, the actions of the representatives of the RT will be seen as premature at best and even silly, by most of those it claims to 'represent.' Unfortunately, those actions will by a few seem dangerous and will be suppressed. From a political viewpoint, that is what is happening now with Mr. McLarnen. From a legal viewpoint, the court of the united states is simply proecting its rights and powers just as the courts of the RT have proposed to protect theirs. Both have alluded to force and. since all 'valid' use of force ultimately rest on the political support of the general citizenry, the court with the greater political support will win. If, as, and when the RT gains the greater political support, the transition period will probably be marked by more desperate measures by both those losing such support and those gaining it.

This need not be. For example of bloodless revolution, see the replacement of James II by William and Mary in England in 1688. A close look at the CAUSES and POLITICAL SUPPORT for those changes will, I hope, demonstrate the necessity for having the political support FIRST and then making the legal arguments. See: Churchill, W.L.S.; A History of the English Speaking People, vol. II "The New World"; Barnes and Noble Publishers; chaps. 19 through 26, for a good introduction to this policial process. Also please remember the dramatic event of the French Revolution when the soldiers of the Paris garrison refused to fire on a crowd (mob?) of their fellow citizens. This is political support from within the establishment. They (the soldiers) are citizens too. Their support must be earnestly

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Freedom to speak, freedom to write...

(Continued from Page 3)

sought also.

In the meantime, RT will remain a flag without a flag pole.

John Hawley

Is this Republic the will of God?

Let's see here...Congress did/does not have the authority to annex a foreign nation into the "union". "Self, I wonder how Texas became a state?" Oh! I see...joint resolution. Now, I could stand corrected on this, but I think "joint resolutions" are non-binding (no force of law). So, after doing a little arithmetic, I came to this conclusion: Congress and Senate agreed to let the Republic of Texas government and the citizens begin acting like a "state" in the Republic of America, as long as they meet certain conditions. And all these years Texans have been acting like "state" residents on the soil of the lawful Republic of Texas. Finally, I said to myself, "Self, I wonder what these people are like?"

Next thing I know, there's a van load of Lubbockans and Postans on their way to Austin and watch these crazy, insane people deliver a letter to Gov. Bush and an eviction letter to the IRS office...and I was with them. Why? Because I was curious. Simply couldn't believe it. "Surely these crazy, insane people will have followers bowing to them, or some cultish type as such.

Not!!! Just a lot of people who were mutually ready to get this fake government out of the "Republic of Texas". The point is that I asked questions and checked them out.

In closing I wish to briefly touch on the spiritual side of this situation. This is an extremely strong movement of people who believe to be doing the "will of God".

From studying God's word (KJV bible, and greek and hebrew lexicons, and strong's concordance for assistance in translations), and staying in fellowship with likeminded believers, its my understanding that we know God's will by knowing God's word. I've yet to find any words in the bible even implying the will of God for Texas to return to republic status. In the

proclamation which was presented by the provisional government, I noted a claim that "freedom of association" is given by "God". So, of course I searched word of God (father of Jesus Christ), and what do you know?

Nothing about God giving anybody the right to associate freely. I did find in the word of God, that the body of Christ has the right to manifest holy spirit, live as, and even be children of God. All born-again children of God have the power-of-attorney to walk as children of God, in the name of his only begotten son Jesus Christ (the risen one).

These people who are moving toward a true republican form of government are making the same mistake as those crazy, insane people did when they set into motion the Republic of America, in 1776. They used the word of God in a deceitful manner. The united States declaration of independence has fed and perpetuated the unGodly thinking that our "rights" as anointed in the bill of rights are from God (no clarification as to which god they were referring to [god of this world, or the god and father of Christ Jesus]). If this movement is of God then it will not fall (no matter the odds). If it is not of God, then it will either fall hard, or it will survive but with no benefit to the citizens. It is written in Luke 1:37 "For with God no word shall be void of power" (more accurate translation). The provisional government of the Republic of Texas has declared God to be the author of their law. They've made a liar out of God in heaven. As a believing christian, I should do the will of God, not the will of men.

Timothy W. Burnett, Denton

Political tags - such as royalist, communist, democrat, populist, fascist, liberal, conservative, and so forth - are never basic criteria. The human race divides politically into those who want people to be controlled and those who have no such desire. The former are idealists acting from highest motives for the greatest good of the greatest number. The latter are surly curmudgeons, suspicious and lacking in altruism. But they are more comfortable neighbors than the other sort.

R.A. Heinlein

Freedom to speak, freedom to write...

In pursuit of liberty

We have watched and read with interest the activities of the Republic of Texas. We salute not only the Republic's pursuit of liberty, but also the peaceful and lawful approach they have taken in these endeavors. We have investigated thoroughly the actions of the leaders and members and have met as a group to discuss our position on the Republic of Texas.

Though our group is divided as to removing ourselves from America's system, we know the actions you have taken have been within the law and publicly stated in open meetings, therefore we must defend your rights as we would defend any Lubbock synagogue, mosque or church attacked by terrorists (government or otherwise). We will defend your rights as we would our black community if they are attacked by the KKK or as we will defend our Hispanic brothers or other minorities harassed by thugs (government or otherwise). A few among our group disagree completely with your actions, but having noted the complete lies and misrepresentations of some in the press and particularly the Travis County sheriff, we feel we must support your right to do this or our organization means nothing.

Continue your non-violent approach and please remember you have weapons called truth and prayer that are more powerful than anything your enemies possess.

The VOTERS Militia, Lubbock.

Reluctant patriot smells freedom

This is invigorating! I have been chastised, ridiculed, congratulated, praised, cussed and discussed over my letter to you regarding my reluctance to jump on the Republic of Texas wagon train. I can handle it, I'm a big boy.

I welcome these debates and I suspect they are good for us all. I salute your magazine for having the courage to address opposing views. What a rare and welcome approach from the [regular] press! I question things. I am cynical. I rebel against all controlling bodies. My pastor says I have a spirit of rebellion....I say maybe that is no demon but an angel of rebellion instead.

I don't rebel against my maker, just those who

I never ever swore allegiance to. I feel that Richard H. King knows what is best for Richard H. King and he has a vested interest in doing what is best for him. I took that ownership and turned it over to the only ONE I will swear allegiance to. I have sworn allegiance to the flag and to the republic for which it STOOD but to no other KING.

I may or may not continue to do that. One response spoke to me of my dependence upon government as a religion....he misreads me. I hate religion but I DO NOT hate government. I see it as I do fire. A miracle tool when controlled, a hideous destroying monster when left unchecked.

My point was simply that I have emotional (not logical) ties to America that I am having trouble severing. You will find the same emotional ties grow as your "movement" does. Especially as you become heroes and martyrs. It happened with my country and I don't want the Godless to have her. Now as I continue my struggle to walk out of my jail cell, help me with this.

Do you (the RT government) DEMAND each citizen submit to an ID number? Do you DEMAND each citizen of the Republic submit to fingerprinting? Do you claim to have a say over the destiny of the Tigua, the Alabama-Coushatta, and the umpteen million other human beings born on this sacred soil without allowing them to vote unless they submit? If so this is Deja Vu all over again. Been there, done that.

Richard H. King - American

Editor's Note: Of course as publishers of this magazine, we don't demand anything... perhaps someone in the provisional government needs to respond to these questions.

We who want liberty should build our own nation.

We have the resources in Texas. In Texas there are more than enough people who want liberty to populate our nation. And there is enough capital... held by investors who want the benefits of free and open markets without taxes and regulation, but who need to be assured of the security of their investment.

Thomas Jefferson said it best - The best government is one that governs the least.

Federal judge holds McLaren, Republic in contempt of court

by Wesley W. Burnett

Declaring that his court does not recognize international law, U.S. District Judge Lucius D. Bunton III ordered Republic of Texas (RT) Chief Ambassador Richard L. McLaren to issue instructions to the "republic" and its common law court to "cease and desist" its activities in order for McLaren to be released from his imprisonment.

Bunton issued the order at the May 9, 1996 contempt of court hearing against the ambassador and the Republic in his Pecos courtroom, following what has been described as McLaren's eloquent, persuasive and masterful presentation of the lawful status of the Republic of Texas.

McLaren had been arrested at his farm near Fort Davis on Saturday, May 4, 1996 by two U.S. Marshals under orders from Bunton. Although no court officer has yet confirmed the actual wording of the order, it is believed that the abduction was a result of McLaren's refusal to appear at the May 2, 1996 order to show cause hearing that had been set earlier by Bunton.

After his kidnapping by the marshals, McLaren was transported to the Ward County jail in Monahans, where he was held until the hearing on Thursday, May 9 in Pecos.

After Bunton shut the door on the contempt order, McLaren was transferred to the Midland County Detention Center, where he is being held without bond, and as of press-time Sunday, May 12, 1996, was still in custody. Neither the Midland County Sheriff, the U.S. Marshals nor the U.S. District Court would release copies of the order placing McLaren in prison.

In a telephone interview Saturday, May 11, McLaren told the Republic of Texas (RT) Magazine that he was being treated "with kid gloves," and that the 8' X 10' cell was not the

most comfortable place he'd ever been, but he felt fine, was in good spirits, and was supremely confident that he would be released in the near future.

"All we really need is to find an experienced and knowledgeable lawyer who understands our case and international law," McLaren emphasized, "and present our case to either the 5th Circuit Court or the U.S. Supreme Court, and I'm sure they'll have to let me go."

Reporting for the RT Magazine, Tom Gipson of Midland described the court scene, "we could hear the chains rattling as the door opened from where Rick was to enter. He came in, dressed in the same dirty clothes he had been wearing when he was working on the farm the day he was arrested. He had on what looked like a borrowed jacket, but stood firm and confident in front of Bunton."

Gipson said that security was extremely tight, "even the buttons on my shirt set off the metal detector," and security guard were everywhere. "The parking lot was full of Pecos police, and after the hearing, one of our friends from Midland was hassled when the cops saw his Republic license plates. They issued him two tickets and sent him on the way."

"Rick was at his best," Gipson added, "and several times Bunton politely requested Rick to slow down because the court reporter couldn't keep up."

As if to confirm this, McLaren informed us Saturday that a U.S. Marshal came to the jail, "asking me to provide a copy of my comments at the hearing for Judge Bunton, so he could make sure the record was correct. I thought that was funny." McLaren said that the RT office is preparing a written transcript of his comments,

which he dictated over the telephone, and copies will be made available to the judge.

"I still haven't seen a piece of paper with anything related to the charges against me," McLaren added. "I understand, from what Bunton said in court, that he is holding me responsible for repudiating all that we have worked for in establishing the rights of the people through our eminent domain, our common law court and the Republic... I told Bunton that it is impossible for me to do that, I don't have the authority, and I won't do that, I can't do that. I am in no position to order any citizen to do anything, especially if it is contrary to our rights."

When Bunton declared that international law was not recognized in his court, McLaren reminded the judge that he was committing perjury of his oath, because he is sworn to uphold the U.S. Constitution and the country's treaties. "I was able to invoke the ambassador's clause of the Constitution from the very beginning of the hearing," McLaren emphasized (see Article 3, Sec. 2). "The first thing I declared was my status as an ambassador of a foreign nation, and that I am an international person, appearing as a belligerent claiming rights as a diplomatic officer, and that I was appearing to demand my rights to perfect the record of the proceedings."

McLaren was then able to speak without interruption, and corrected the record to reflect (1) appellate review, (2) proceeding with a writ of habeas corpus, (3) matters of jurisdiction and (4) matters of diplomatic relations. He read U.S. codes into the record, including those related to his kidnapping in violation of several federal statutes, and informed the court that "today we are in what is called consular's court," McLaren added. By injecting that statement, to which neither the judge nor Stewart Title Company's attorney Michael Morgan objected, McLaren was able to transfer the proceeding from a court of admiralty to a diplomatic negotiation for settlement.

"Under certain conditions," McLaren explained, "federal judges serve as representatives for the U.S. government in diplomatic matters. By perfecting the record, and offering to negotiate a settlement, the hearing no longer served as a judicial matter for the court... and no one objected. If there is no objection, then the court has no choice but to accept its responsibility under international law."

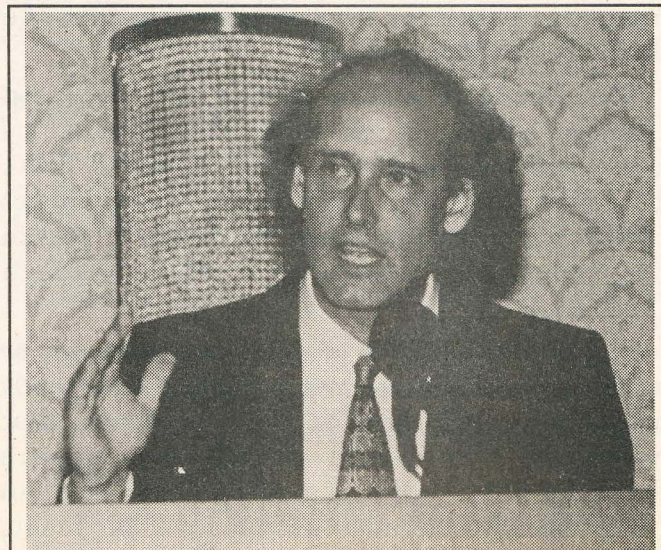
McLaren offered to meet with Morgan to discuss a mutually agreeable settlement, to which Morgan accepted. Bunton, however, interrupted and refused to allow the discussion, saying "I can see no purpose in that." McLaren also pointed out to the judge that when Stewart Title Company filed their suit against the RT, it was filed in the wrong court... it could only be filed with the U.S. Supreme Court (see Article 3, Sec. 2). Bunton replied that he thought it doubtful that the Supreme Court would take the case, "even if filing fees were paid."

When McLaren completed his pleadings, Morgan stood to introduce evidence on behalf of Stewart Title Company. Bunton shut Morgan down by declaring, "I've been hearing arguments from attorneys for 43 years and I don't need to hear any more..." Morgan then sat down.

"He basically took Stewart out of the case," McLaren explained. "Bunton made it clear that this is a case between his court and the Republic.... Stewart is out of it. Bunton puts great emphasis on the liens and the common law court, now he sees it as much bigger than just Stewart."

"I really thought they (Bunton or Morgan) would object when I brought the court to a diplomatic pleading... but they didn't, and their silence legally converted this case to a diplomatic proceeding. In effect, Bunton has recognized the legal standing of our diplomatic status. I then asked why the U.S. attorney general or the secretary of state was not involved in the diplomatic process... both Bunton and Morgan looked at me like they didn't understand a word

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Chief Ambassador Richard L. McLaren

Alaskan independence movement grows

by Charles W. Duncan

Without going into great detail at this point, Alaska was offered the option of becoming a state or remaining a territory in the mid 1950's due to pressure from the United Nations.

And incredible as it may seem, the US Government while trying to appease the UN, forgot to follow the very rules they said they would operate under in this election. The rules as set by the UN were that territories like Alaska were to be offered four choices. One was to remain a territory, or to be a commonwealth [like Puerto Rico], or to become a state, or to opt for independence.

Given only the two choices of becoming a state or remaining a territory, they chose statehood.

Jack Coghill was an Alaska State Constitutional Convention Delegate, Territorial Representative, Alaska State Senator, Lt. Governor and Chairman of the Alaska Statehood Commission and he notes that Alaska became the 49th state under unusual conditions.

He notes that after we wrote the state constitution in 1955-56, we sent it to the people of Alaska for ratification. It passed by a two to one margin on April 24, 1956. The Alaska Statehood Act passed Congress two years later on June 30, 1958, but before statehood could become final, the people of Alaska had to accept the terms of the Statehood Act.

"The people of Alaska ratified the Statehood Compact on August 26, 1958," Coghill said, "by a tremendously lopsided vote of 40,739 to 7,500. Therefore, with the ratification, the Compact established a bond between the people of Alaska and the United States as a whole through Congress."

Coghill also said, "A compact is a covenant or contract made between two parties, and it stands as is unless both parties agree to change that covenant." The reason Coghill says we are debating this today is because the Alaskan Congressional Delegation has proposed bargaining off a part of the Compact without the consent of

the people of Alaska. "That isn't a power given to them," Coghill added. "I don't even think the Alaska State Legislature would try to change the Compact without a vote of the people—that would be foolish."

"The Statehood Compact has already been broken several times," Coghill said. "Because I sat as Chairman of the Statehood Commission, I can tell you we explored and documented each and every abuse. I still stand by my principle that a change to the Compact requires a vote of the people of Alaska and a Vote of Congress. Anything less is a sham."

He is not alone in his growing mistrust and distaste for what has happened since Statehood. In fact many are saying, and the numbers are growing, that Alaska should be allowed to have the vote they should have had back in the fifties - the one with all four choices on it.

Many in this movement feel that given the realities of today, that Alaskan's would vote for Independence given the opportunity.

As far back as 1978, Joe Vogler, one of the movers and shakers in the Alaskan Independence Movement wrote a pamphlet called "Possible Benefits of a United Nation of Alaska". In it his conclusions about why and what would be the result of Alaskan independence was in large part similar to what we here in the Republic of Texas have proposed.

He sees totally democratic country - governed as the Constitution states BY the people and FOR the people. Loyalty to Alaska rather than split between Alaska and the United States.

Vogler goes on to point out that Alaska would make its own laws and Alaskan courts would replace Federal courts with just, realistic laws designed to protect the law abiding citizen instead of the criminal. Federal and State government jobs would in great part be continued, but as a component of the Alaskan Government.

Further a return to a monetary system backed by gold and/or silver instead of worthless paper

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Alaskan independence surges ahead...

(Continued from Page 10)

money would be possible. And directives would be initiated at the Alaskan government level rather than at the Federal.

An Independent Alaska could then encourage expansion of Alaska Industry and jobs by private or corporation ownership. Along with insuring that ALL natural resources or rights thereof traded to foreign countries, would be done by, and for the benefit of only Alaskans. Proper development of Alaska's resources, i.e. minerals, timber, fishing, could then be decided by the people to whom the land belongs.

In other words, the folks in this movement know that their tax dollars would stay in Alaska and be used to benefit only Alaskan interests.

With independence, the Alaskan government could then impose tariffs on products produced in the state. And they would have the freedom to purchase needed goods directly from foreign countries, working out our own reciprocal trade agreements. (Currently everything must come

through customs of the lower 48.)

Of course a big one for the Alaskans would then be the building of their own pipelines; gas, oil, etc., with the proceeds going to their country.

The right to bear arms as provided in the Constitution without constantly being infringed upon would then be reaffirmed and the removal of restrictions on hunting, fishing, etc., whether it be commercial or sport, for all citizens of Alaska could be a reality.

The vast lands of Alaska could and would be made available for purchase and/or homesteads to Alaskans under their own government. And the elected government would strive for a tax free country within a set number of years.

We would like to thank Raven's call for allowing us to use material they have published in their newsletter and placed on their web pages.

From: The Raven's Call, PO Box 70007, Fairbanks, Alaska 99707 Phone...457-1884 FAX...457-4872 For more information E-mail to dclark@polarnet.com ★

Is there anyone willing to debate Republic's claims?

by Wes Burnett

One of the more interesting aspects of the Republic of Texas rebirth has been the reaction, or more significantly, the non-reaction of state officials. Even the handful of people who have stepped up to publicly denounce the Republic, have mostly used ridicule through attempts to link citizens of the Republic to all the "untouchables" of our time.

So, it was with pleasure that I read Jeanette Kinman's news release of April 23, issuing a challenge to any three of the state of Texas' "best legal minds," to meet in public debate with "three people of our choice in a public forum."

"Some continue to use the obsolete legal case of Texas vs. White, which never cited or provided for any basis under the U.S. Constitution for a foreign nation being annexed in the union of States, contrary to both the law of nations and the current U.S. foreign relations law as well as current proclamations of the united States in the United Nations, involving the former states of the USSR.

Then the news release quotes a famous American founder... John Quincy Adams, who in 1837 said, "The power of annexing the people of any independent state to this Union is a power not delegated by the Constitution of the united States to their Congress or to any department of their government but reserved to the People... It would be the duty of the free People of the Union to resist and annul attempts to annex the Republic of Texas."

Anyone interested in accepting the debate challenge should contact Under Secretary of Public Relations of the Republic of Texas, Jeanette Kinman at P.O. Box 2423, Quinlan, Republic of Texas [75474], or call (214) 524-2173. ★

Excerpts from the Notebooks of Lazarus Long in "Time Enough For Love," Copyright 1973 by Robert A. Heinlein

Always listen to experts. They'll tell you what can't be done, and why. Then do it.

Hawaii joins list of "states" seeking independence

by Hayden Burgess

Am I an American? How did I "lose" my Hawaiian citizenship? No act by myself, my ancestors or my national leaders surrendered Hawaiian citizenship or relinquished Hawaii's sovereignty.

Grover Cleveland said Queen Lili'uokalani's temporary yielding of authority to the U.S. government did not constitute a sufficient surrender. He declared that an act of war upon a peaceful nation, in violation of international law, was committed by U.S. forces. The step-by-step conspiracy between the Missionary Party and U.S. government culminating in the "treaty of annexation" is replete with international violations of laws against aggression and unequal treaties and of human rights and fundamental freedoms. Even the U.S. Constitution was violated!

How, then, could my country, the Kingdom of Hawaii, recognized in the international community as a sovereign nation, be declared non-existent today? By whom and with what magic have we been etched out of existence? Is the criminality of the United States to be rewarded by the denial of the existence of that very nation it invaded? I cannot accept it.

Self-styled historians have scolded me, pointing out that irrespective of prior illegalities, all was resolved when Hawaii exercised "self-determination," voting to become a "state" of the United States of America in 1959.

That event simply escalated U.S. delinquency. In 1959 (indeed as early as 1945) the United States was under a specific international obligation (Article 73(e) of the U.N. Charter) to respect the right to self-determination of Hawaii's people. Instead of complying with that obligation, the United States manipulated the situation to its advantage.

In 1959, it permitted all Americans residing in Hawaii for at least a year to vote on the question of "statehood." Hawaiian citizens could not vote.

This altering of the "self," through population displacement and control over the educational and legal systems, media, economy, and military, is a trick colonial nations use before the international community, pretending that the colony or territory exercised "determination."

Second, the United States manipulated the situation by limiting the full range of choices. Under self-determination, a people is entitled to a range of choices from total assimilation into the colonial state ("statehood" or territorial status") to emergence as a free and independent country. In 1959, the choices were either to become a U.S. "state" or remain a U.S. territory.

There was no choice for independence. When the United States subsequently reported to the United Nations that Hawaii exercised self-determination, choosing to become a U.S. "state," it defrauded the United Nations and the Hawaiian citizens. The 1959 "statehood" referendum did not absolve the United States of its delinquency.

Why Hawaiian independence? To save Hawaii from ruin. To survive, Hawaiians must govern Hawaii. Why should we continue under U.S. manipulation? U.S. design upon Hawaii is to serve as its military fortress in the Pacific and as an economic hand in its Pacific-Asia grab. It controls all of the vital decisions affecting Hawaii's quality of life and makes those decisions only to further its "national interest." Hawaii has become a free-for-all destination for immigrants and investors, creating false crises in housing, employment, economy, foreign relations, etc.

We are the United State's captured market: It decides who we trade with and how much it taxes that trade. Hawaii's U.S. occupation troops, (25 percent of O'ahu under military control) makes us a priority target of their enemies.

Under Hawaiian independence, we, the people of Hawaii, determine our own population size, use of our lands by foreign military, terms of trade with other nations, our environmental quality, our foreign relations, our special and honored place

Hawaiian independence

(Continued from Page 12)

of the indigenous people in our society, etc. Independence is good for business, for the environment, for military security, for cultural development. The power to treaty between Hawaii and any foreign country exceeds every U.S. benefit under statehood.

Freedom never guarantees a better life. It provides a better chance of make our own decisions, our own mistakes as well as our own wise choices. What freedom brings about is a likelihood that those who will face the consequences of their own decisions will make a greater number of right decisions than one who decides for another. The quest for Hawaiian independence is the only sensible long-range plan for Hawaii.

Abraham Lincoln said, "No man has the right to rule over another man without his consent." We Hawaiian citizens never consented. I never lost my Hawaiian citizenship. I am not an American. Hawaii pono'i.

Hayden Burgess is a lawyer and a former Office of Hawaiian Affairs trustee. He is president of the Pacific Asia Council of Indigenous Peoples and host of a weekly program on sovereignty issues on Hawaii Public Radio.

The Raven's Call February 1996 Volume XVIII Issue II Official Newsletter of Alaskans For Independence

*The Raven's Call P.O. Box 70007 Fairbanks, Alaska, 99707 Lynette Clark Editor Pro-Tem
PHONE...457-1884 FAX....457-4872*

Diplomatic recognition expected soon with Hawaii

In a telephone conversation on May 11, 1996, Chief Ambassador of the Republic of Texas Richard L. McLaren informed the RT Magazine that talks have been taking place with Hawaii for the past several weeks, which are expected to lead to an exchange of diplomatic recognition between the two nations in the near future.

Republic of Texas General Council Meetings

- * June 1, 1996 in Lufkin
- * June 22, 1996 in McAllen
- * July 13, 1996 in Abilene
- * August 3, 1996 in Amarillo
- * August 24, 1996 in Tyler
- * September 14, 1996 in San Angelo
- * October 5, 1996 in Waco
- * October 26, 1996 in Beaumont
- * November 16, 1996 in Midland-Odessa
- * December 7, 1996 in
San Antonio / Austin
- * December 28, 1996 in Longview



NOTICE-NOTICE-NOTICE Republic of Texas Office of the Treasurer

This is to make a public announcement that the Treasurer of the Republic of Texas is now open and ready to accept deposits in the form of specie and negotiable instruments denoted in specie (lawful money). Specie will be stored in a safe, bonded and insured storage facility for small storage fee. Lawful currency (when made available by the Republic of Texas) and negotiable instruments denominated in specie will be accepted for deposit. Yen, Swiss Francs, Pounds, German Marks etc. will have to be converted into specie first, then deposited.

The bank of the Republic of Texas will accept applications for charters from natural individuals only, no artificial entities allowed. Charters will be granted to applicants with proper qualifications and appropriate assets.

The Treasury of the Republic of Texas will set up mini-treasuries throughout the Republic to deal directly with the local bankers. Every Chartered Bank must have an account with the Treasury of the Bank of the Republic of Texas.

The use of the above mentioned negotiable instruments is permitted by the Treasurer. The clearing of all such instruments MUST be done through either the Treasury or one of the mini-treasuries.

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Reveille or taps?

It's your choice

by Daniel Coheleth López

Will history be repeated - faster than ever? Are we going to heed the call to wake up while we can? If not now, then when? If not here, then where? If not we, then who?

These are some of the questions which come to mind, as we witness the rebirth of the Nation of Texas, in the midst of "business as usual" in the federal "burro-crazy," in the face of obviously contrived runaway inflation, and despite the cowardly and unlawful attempts to intimidate the People of Texas, through the abduction of their rightful leaders. To whom do we look, when the chips are down, when the "government" has long since forgotten who lends it legitimacy, and resorts to terrorist tactics against the very ones who sustain it? I'll tell you to whom we must look, to the Almighty and to our very souls. Deep within our peace-loving, pampered hearts lies the key to the truth. Therein lies the almost-dead spark that can ignite the flame of freedom.

But, who are we to think we can make a difference? How can we "fight City Hall?" Just who do we think we are, declaring ourselves a "republic," crying "freedom" to the four winds, like some pack of coyotes howling at the moon? Fools, some would say. "Militant Extremists," we are labeled by the press. Even State Attorney General Morales (and shouldn't HE know?) declares that "No one is above the law." And of course he's right.

Who are we? We are The People. The People of Texas. A free people. A People with rights, duties and privileges. Red and yellow, black and white, all are precious in His sight! And all are equal in the sight of the Constitution. We, the People, and only we have the right - nay the duty - to establish government, and to abolish it, when it no longer serves us. We, the People are not bound by law to serve the State. We are bound by oath to make "government" serve us! No, Mr. Morales, even you are not above The Law.

There was a time - before 1836 - when We, the

People, were all servants of the Mexican State. The people then wanted to be loyal Mexicans, sworn to uphold the Constitution of the Republic of Mexico. Many of them died defending the same Law - 187 at the Alamo alone. There were people of all races and several creeds fighting for their rights to be free Mexicans, protected by the Constitution. (The defenders of the Alamo were unaware of developments in Washington-on-the-Brazos and Texas' Declaration of Independence.) The People of Texas faced seemingly insurmountable odds: about 32 to one, at the Alamo. And in the end, at the Battle of San Jacinto, the People were victorious, not due to their military prowess or their astute strategy, certainly not to their superior numbers, but because they were on the side of Truth, and because Texicans of all colors and creeds joined together for one purpose: to achieve Justice for all.

We are faced now with a very similar set of circumstances. As americans, we feel duty-bound to defend the Constitution of the united States of America. And rightly so, since our own Texas Constitution was largely based on and inspired by it. Our common heritage unites us in ways of which we are not always aware. We cherish this heritage, because it's ours, and because it showed us the way to greatness. But our heritage in Texas is a double one. We are not only "Anglo-Americans," we are also "Hispanic-Americans," multicultural and multiethnic in both cases. As "Anglo-Americans," we are predominantly English Speakers, but as Hispanic-Americans, we are basically Spanish Speakers. We all, as "Texicans," find ourselves at an intersection in history.

The gauntlet has been thrown, either we band together now, or we hang together later. We can continue to deceive ourselves as to our general welfare, comparing our lot with that of other, less fortunate nations, or we can wake up to the

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Reveille or taps?

(Continued from Page 12)

realization that the rebirth of the Republic is our last call to board the train to self determination, the final warning of "RED ALERT!!" for The People to avert disaster in a "brave new world" under the watchful eye of "big brother," our last chance to grasp what's left of our blood-bought freedom from a monster of our own making.

Now, as an Hispanic Texican, I have a long ingrained tendency to "stay out of politics." I'm not naturally disposed toward activism. Generations of my family have taken a certain "pride" in being "apolitical." There's good reason for this. Many of our hispanic people have had very negative experiences, when attempting to stand against oppression or speak out for justice. I can no longer allow myself this luxury. There comes a time when we must make a stand ... or be crushed under the full weight of an overgrown governmental machine. I believe this is the time.

It's now or never. This is the time for Texicans to stand up and be counted. It's time to show the world that there's still a People willing to "lay it on the line" for our children, for our brethren, for ourselves. We have only ourselves to blame if we fail to heed the call of "Reveille," and coast along with the tide, until there is nothing else to hear except the mournful sound of "Taps."

Texicans of all tribes, awake or perish!!

Daniel Coheleth López (49) is a language consultant in the DFW area and, as an experienced court interpreter, has first-hand knowledge of the problems within the de facto judicial system. Having grown up on the Island of Cuba during the revolution that put Castro in power, he served later in the US Army in Vietnam and lived for a number of years in Colombia, S.A., as well as travelled to a number of countries in Central and South America. That travel has allowed him to acquire a unique perspective of the world.



Why all Americans should support an independent Texas

by Jay Manifold

The Republic of Texas' independence has a formidable task of education and persuasion to perform before an independent Texas can become a reality. The legitimization of political separation from the United States requires the support of the population before it can be justified on moral or legal grounds. This is why the platform of the Libertarian Party of Texas, of which I am currently chairman, calls for the Legislature to place before the people of this state a binding referendum on the question of secession.

As a transplanted mid-westerner who has only resided in Texas for six years, I am particularly sensitive to the additional need of educating and persuading those living outside the borders of our would-be republic. How else is the government of the United States to be restrained from thwarting any move toward independence? I submit that we know that aroused public opinion can restrain government, and further that we do not know of anything else that can. We must

therefore market our ideas to as many non-Texan Americans as we can reach. To put it bluntly, what's in it for them?

A sad characteristic of late-20th-century civilization is that while freedom has begun to turn the tide against authoritarianism over the past generation, there are still only a handful of countries with the relative personal and economic freedoms enjoyed by most people in the United States. If one is for any reason sufficiently upset by circumstances here (USA) to desire to emigrate, the menu of acceptable choices is short, and none of the alternatives is nearby — even Canada has a significantly more burdensome governmental apparatus, and correspondingly lower standard of living, than does the US.

Ironically, the choice available for the whole world prior to the first immigration restrictions in 1924 is now effectively denied to Americans, simply because the poison of authoritarian ideologies has penetrated, to some extent, just

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Why support RT?

(Continued from Page 13)

about everywhere. For those living in the New World, there is no New World.

The Republic of Texas can be the New World's New World.

Imagine being able to move to a country which is as free, relative to the United States, as the United States is to Sweden. Then imagine being able to make that move as easily as driving across a bridge over the Red River — in fact, by driving across a bridge over the Red River, without slowing down.

There are tens of millions of Americans who would love to have that option. Not in order to immediately exercise it — perhaps never to exercise it — but simply to know that it's there. To know that if high-handedness in Washington, DC, or any other cause whatsoever, renders conditions intolerable, they have an alternative: to vote with their feet; to vote for freedom; to vote for Texas.

For the Republic of Texas there would be pragmatic side to this as well. In his book "Microcosm," George Gilder wrote that "... from the coarse fanaticism and desperation, ambition and hunger, genius and sweat of the outsider, the downtrodden, the banished, and the bullied come most of the progress in the world and in Silicon Valley." Replace "Silicon Valley" with "Texas" and

you may begin to get an idea of what our Republic would gain. For the "wretched refuse" of the United States would be the cream of the crop: the most ingenious inventors and brilliant entrepreneurs of (prior to their departure) the most inventive and entrepreneurial society on Earth.

The effects on Texas, on the US, and on the rest of the world, are beyond our present imagining. It would be like trying to project the impact on the world of the United States from the vantage point of 1835, as Alexis de Tocqueville did.

Of course there would be dangers. An independent Texas with a thicket of laws comparable to that of the United States would pose little political threat, just as Ceausescu's Romania had no difficulty seceding from the Warsaw Pact in 1962. But an independent Texas which had cast off the myriad of arbitrary and even tyrannical regulations of the other 49 states and their Federal government — a Texas with no zoning, no drug prohibition, and minimal taxation, with medical treatments banned in the US by the FDA, and especially with no restrictions on the movement of people or goods or information across or within its borders — would be more like Czechoslovakia during the Prague Spring of 1968. While it might be going too far to expect an actual invasion, we might well expect to see an American version of the Berlin Wall erected around us.

But that is no reason to emulate our brethren in the United States too closely, much less to abandon the project altogether. Should West Germany have emulated the east, or traded away its relative freedom to bring the wall down? In the event, the wall was leveled without a shot being fired, by the information technologies developed and mass-produced and marketed in the free world. Personal computers and fax machines, invented and sold with little thought of military application, destroyed the evil Soviet empire, and did so almost bloodlessly. The American empire — much less evil, but an empire nonetheless — may well be next; and the catalyst for its fall, the event that starts an avalanche of freedom spilling over North America, could be an independent Republic of Texas.

Jay Manifold, a telecommunication engineer, is chairman of the Libertarian Party of Texas and lives in Irving.



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Republic of Texas Magazine

Published monthly for the people of the Republic of Texas

Wesley W. Burnett and Charles W. Duncan

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Economic and Political Theory 101

We are frequently asked to explain what does democracy mean. Or what is the difference between socialism and fascism. Rather than presenting a one year political science course here, I thought that this short and comic example from the internet would be the best way to introduce everyone to working definitions of various political theories. Enjoy.

FEUDALISM - You have two cows. Your lord takes some of the milk.

PURE SOCIALISM - You have two cows. The government takes them and puts them in a barn with everyone else's cows. You have to take care of all the cows.

The government gives you as much milk as you need.

BUREAUCRATIC SOCIALISM - You have two cows. The government takes them and puts them in a barn with everyone else's cows. They are cared for by ex-chicken farmers.

You have to take care of the chickens the government took from the chicken farmers. The government gives you as much milk and eggs as the regulations say you should need.

FASCISM - You have two cows. The government takes both, hires you to take care of them, and then sells you the milk.

PURE COMMUNISM - You have two cows. Your neighbors help you take care of them, and you all share the milk.

RUSSIAN COMMUNISM - You have two cows. You have to take care of them, but the government takes all the milk.

CAMBODIAN COMMUNISM - You have two cows. The government takes both and shoots you.

DICTATORSHIP - You have two cows. The government takes both and drafts you.

PURE DEMOCRACY - You have two cows. Your neighbors decide who gets the milk.

REPRESENTATIVE DEMOCRACY - You have two cows. Your neighbors pick someone to tell you who gets the milk.

BUREAUCRACY - You have two cows. At first the government regulates what you can feed them and when you can milk them. Then it pays you not to milk them. Then it takes both, shoots one, milks the other and pours the milk down the drain. Then it requires you to fill out forms accounting for the missing cows.

PURE ANARCHY - You have two cows. Either you sell the milk at a fair price or your neighbors try to take the cows and kill you.

REPUBLIC OF TEXAS - You have two cows. You sell one and buy a bull.



Legal Notice of Foreclosure May 2, 1996

Republic of Texas Office of the Treasurer

Notice is hereby given in accordance with the law of nations, by the rule of Postliminium in accordance with a Judgment of Foreclosure in Cause No. 96-000776-CL, styled We the People of the Republic of Texas vs Internal Revenue Service, a foreign agency of final adjudication on April 27, 1996 in the District Court of Milam, Tarrant county of this action eminent domain.

That it is hereby ordered in accordance with ruling of the court pursuant to jury trial and findings that all easements or claims by the Internal Revenue Service to control of lands, properties, and tenements on the soil of Texas be immediately revoke and cancelled and notice of Judicial sale be posted. It is further ordered that all proceeds of this sale be placed in the Treasury of the Republic of Texas for use and benefit for the continuation of the recovery of lands and properties by acts of postliminy by its People and Citizens.

Sale time and Location North Side of the Capitol Building in Austin of the Republic of Texas June 18, 1996 at 11:00 a.m. For information on the description of the lands and Buildings to be sold and to obtain bid information please call the Republic of Texas home office at 210-349-8994.

Executed by the Office of the Treasury of the Republic of Texas, Darrell Franks, Treasurer.

"If there be a principle that ought not to be questioned within the United States, it is that every man has a right to abolish an old government and establish a new one. This principle is not only recorded in every public archive, written in every American heart, and sealed with the blood of a host of American martyrs, but is the only lawful tenure by which the United States hold their existence as a nation."

James Madison, 1751-1836

Social Security is not a contract

Editor's Note: Several people have asked, of us directly at public meetings, about the relationship of social security benefits for those people who decide to become citizens of the Republic of Texas. The following article prepared by noted constitutional attorney Lowell Becraft, addresses this issue. It is clear that those who wish to continue receiving benefits from the U.S. government should take into consideration that no government is bound to the future for payment of any social benefits.

by Lowell Becraft

Huntsville, Alabama

Art. 1, § 9, cl. 7 of the U.S. Constitution provides as follows:

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law."

While this constitutional provision does not of itself place a maximum ceiling upon the amount of debt which can be created by Congress, it does require that appropriating legislation be enacted in order to incur debts. This is aptly demonstrated by the federal cases which have construed this part of the Constitution. In *Cummings v. Hardee*, 102 F.2d 622 (D.C.Cir. 1939), and *Maryland Casualty Co. v. United States*, 155 F.2d 823 (4th Cir. 1946), it was held that officers of the United States lacked all power to pay any claim against the United States in the absence of an appropriation from Congress to pay such claim. This principle was more fully explained in *Hughes Aircraft Co. v. United States*, 534 F.2d 889, 906 (Ct.Cl. 1976), where that Court declared:

"The second principle is that before any expenditure of public funds can be made, there must be an act of Congress appropriating the funds and defining the purpose for such appropriation. Thus, no officer of the Federal Government is authorized to pay a debt due from the U.S., whether or not reduced to a judgment, unless an appropriation has been made for that purpose."

See also *Reeside v. Walker*, 52 U.S. (11 How.) 272 (1850); *Cincinnati Soap Co. v. United States*, 301 U.S. 308, 57 S.Ct. 764 (1937); and *Office of*

Personnel Management v. Richmond, _ U.S. _, 110 S.Ct. 2465, 2471 (1990). In *National Association of Regional Councils v. Costle*, 564 F.2d 583, 586 (D.C.Cir. 1977), that Court elucidated this principle by stating:

"Government agencies may only enter into obligations to pay money if they have been granted such authority by Congress. Amounts so authorized by Congress are termed collectively 'budget authority' and can be subdivided into three conceptually distinct categories — appropriations, contract authority, and borrowing authority. Appropriations permit an agency to incur obligations and to make payments on obligations. Contract authority is legislative authorization for an agency to create obligations in advance of an appropriation. It requires a subsequent appropriation or some other source of funds before the obligation incurred may actually be liquidated by the outlay of monies. Borrowing authority permits an agency to spend debt receipts."

Thus, it is quite apparent that in order for the federal government to incur debt, it must adopt legislation authorizing a specific amount of federal obligations to be incurred.

It is easy to demonstrate the operation of this provision of the Constitution and its application to government contracts. Suppose the feds desired to build a new courthouse at a cost of \$200 million. An agency in charge of such a project could theoretically "contract" with a construction company to build this structure. However, until Congress actually appropriates money to pay for construction, there is no contract. Even if the contractor in this example incurred lots of costs preparing to build this courthouse which ultimately does not get built because of lack of funds, he has no claim against Uncle Sam for breach of contract. The same principle applies to every other government contractor, whether aerospace, military, et cet. Government contracts are unique and different from private sector contracts due to this constitutional limitation upon the power to contract.

Is Social Security a contract? A private insurance policy is clearly a contract because the

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Texas or Republic of Texas Flag?

by *Charlie Duncan*

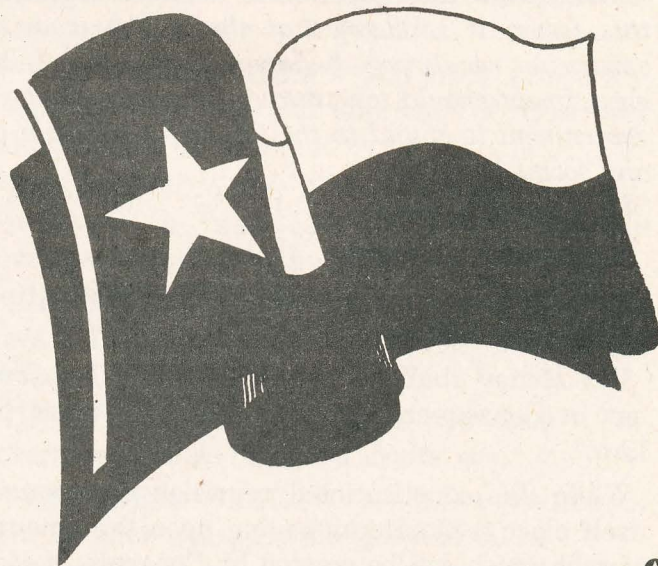
There has been several comments and questions about the Texas Flag used in the title of our magazine. Since it has long been associated with the non-State of Texas, many assume it is incorrect.

The **reason** we use that flag is that our cover is intended to reach those people going by a newsstand and we want the maximum amount of recognition with the least amount of confusion. We want them to pick us up!

To adequately answer the questions about the flag, I looked this up, and found that today's flag

of Texas was first adopted in 1839 as the national flag of the Republic of Texas.

The flag was later adopted as the state flag when Texas illegally was assumed to have become the 28th state in 1845.



Social security?

(Continued from Page 17)

policyholder makes a promise to pay money to the insurance company, which in turn agrees to likewise pay the policyholder if certain contingencies arise. These "promise to pay" elements are essential for a contract, but they simply are not present with Social Security. First, Social Security "payments" are not premium payments, but are taxes instead. Secondly, there is no corresponding and enforceable "promise to pay" from the Social Security Administration to its "beneficiaries." As noted above, government contracts are very special and require an appropriation from Congress before money can be expended and a contract made. Regarding Social Security, the only "beneficiaries" who have any claim against the public treasury are those for whom Congress has already made an appropriation, which can last no longer than a year. The rest of the Social Security claimants in America have no enforceable claim on public funds, and all they possess is a "political promise," upon which Congress can renege at any moment. If Congress decided tomorrow to cut off all Social Security, nobody would have any claim for payment. Thus, Social Security has never been and is not now a contract.

Note: P.L. 103-465, 108 Stat. at 5010, §742, now requires SSNs for kids at birth; law enacted Dec. 8, 1994.

Gonzales appointed captain of Ector County Defense Forces

Pete Gonzales of Odessa was officially sworn in and presented his certificate of appointment as Captain of the Republic of Texas Defense Forces, Ector County, immediately following the General Council meeting Dallas on April 20.

The first meeting of the Ector County section of the Republic of Texas Defense Forces was held April 25, at which time Captain Gonzales was presented with his captain's bars by David Blackmon.

Duties of the Republic of Texas Defense Forces are described in Article II, Sec. 6 of the Constitution of 1836... "The congress shall have power to ... call out the defense forces to execute law, to suppress insurrections, and repel invasion."

Taxes are not levied for the benefit of the taxed.

R.A. Heinlein

Contempt hearing

(Continued from Page 7)

I was saying or what had happened to them. Bunton demanded I give up my duties and responsibilities to my country and I told him I did not have authority to do that."

The judge made it clear that he does not recognize the authority of the Milam District Court of Common Law Pleas nor the Republic of Texas provisional government. "He was very upset about wanting me to take away the disqualification of federal courts in Texas that was filed with the U.S. Supreme Court, which basically nullifies his authority in Texas. I told him I couldn't do that, because that filing was done by the Milam District Court after my application. The Milam District Court is not a party to this suit. Bunton was very upset about the transfer and the disqualification with the Supreme Court," McLaren added.

"If the Republic is not a nation, and the Milam Court has no authority, and the liens are all fraudulent," McLaren asked, "why all the fuss? Why not just declare them all invalid and just ignore the whole thing? Obviously, the judge realizes that the Republic is a legitimate government, and he is attempting to force me, as an officer the government, to revoke the rights of the people, which I will not and can not do."

Finally, McLaren said that Bunton declared in open court, "If I concede to your jurisdiction, there will be chaos in the streets." McLaren replied, "No sir, there will not be, we have an orderly transitional plan and you know it, and now it's time for you to start handing the courts back to the people."

"Bunton knows that we are legal and right, but he doesn't know what to do and he refuses to relinquish his power and follow the law," McLaren emphasized. "If we aren't legal and our courts are not legal, then why is he so eager to demand that our district court stop functioning?"

In other comments, McLaren told us that recent discussions with the Nation of Hawaii have resulted in plans for a face-to-face meeting in the near future with Hawaiian ambassador Johnny Liberty. "We are also in contact with the Cherokee Nation, I believe we will officially recognize them as a nation soon."

McLaren closed out the conversation by saying that "this has been a very positive experience, if all this isn't real and legal, they wouldn't be reacting as they have. The Republic is a good thing for Texas, it's a good thing for the U.S. and I told Bunton that he should be careful about how he reacts to our standing... for if you shut the people out so that they have no recourse or no way to redress their grievances, then you are opening the door to violent reactions out of frustration. I will not be held responsible for that possibility. We are working very diligently through lawful and peaceful process, and it is up to them (U.S. and the de facto state of Texas) to cooperate in the peaceful transition of power, so that the people of Texas may live in real freedom with real liberty."

Editor's Note: Our special thanks to Tom Gipson of Midland for his time, energy and assistance; to Chris Leonard for his persistence and communication with Mr McLaren and to all those volunteers who keep us informed on important issues.

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Who is Lucius D. Bunton III?

The Senior Judge, United States District Court Western District of Texas, Lucius Desha Bunton III, was appointed for life to the bench beginning with the November 27, 1979 term. Information about Bunton is taken from a book entitled "American Bench — 1995/96." Research was contributed to the RT Magazine by Lauren Lynn Savage.

Bunton was born in Del Rio, Texas December 1, 1924 and earned a B.A. from the University of Texas in 1947, his J.D. in 1950. He was admitted to practice law in Texas in 1949, beginning his legal practice in 1950. He practiced law in Marfa from 1951-59 and Odessa from 1959-79. he also served as district attorney for the 83rd Judicial District from 1954-59.

Bunton served as a private first class in the U.S. Army Infantry from 1943-46. He was a trustee on the Ector County ISD from 1967-76. He resides in Midland. His office is located in Pecos at the Lucius D. Bunton III Federal Building, (915)-445-4228.

★

Turners get judgment against FDIC, RTC

In an emotional scene April 27, Jo Ann Turner described to the Milam District Court jury the trauma and personal agony she and her husband, William, endured as a result of the emptying of their belongings from their home in San Antonio. The jury listened intently to her testimony, reflected on the charges presented by Republic of Texas Chief Foreign Legal Officer Richard L. McLaren, then ordered a judgment of claims for the plaintiff.

None of the defendants, nor their representatives appeared to testify.

The judgment removed the case from the "de facto count of the STATE OF TEXAS for the purpose of settling a claim brought by the Demandants against the Respondents (Turner) in this action."

Named as demandant were the Federal Deposit Insurance Corp. (FDIC), Resolution Trust Corp. (RTC), agents of the United States operating on the soil of Texas "under the war powers of the

Civil War as extended and amended on March 9, 1933, as a foreign agent, and its foreign agents in their personal capacities, Jody L. Hagemann, Scott Davis, Orlinda Maranjo and David J. Phillips."

The judgment declared that the FDIC and RTC "has no valid claim or basis for bringing any action or claim of Eminent Domain against the Respondents (Turners) on the soil of the nation of Texas."

The jury also declared that "no valuable consideration was ever loaned by the former contracting party of the FDIC for the purchase of the lands involved in this action of foreclosure in that the Respondents executed a Promissary Note with the Respondents' former agent, which was then without the Respondents' knowledge or consent converted to an account with the Federal Reserve Bank as a DDA, and that said DDA was then processed back to them as their own loan to themselves without any foundation at law of lawful money of account of either the Republic of Texas or the UNITED STATES."

The judgment also said that the demandants "did willfully, and intentionally violate all known doctrines of law... and did defraud and steal the lands, properties and tenements of the Respondents in this action... and did participate in legal plunder against the Respondents... and did derive personal gain and benefit from such acts."

The court then ordered "that all the lands, properties, and tenements illegally seized by the Demandants in this action be returned within 10 days of notice being served by the Sheriff of Travis County, Texas..." And the court further ordered the awarding of \$10,000,000 silver in lawful money in judgment against all of the agents collectively named who participated in the above acts..."

If not paid within 20 days from notice, "upon failure to comply, in satisfying the award, the Respondents shall then have the right to post and then sell the property, lands, tenements and easements being claimed by said agents on the soil of the nation of Texas including the right to take action against their insurance bonds of public office, if any exist."



Bailiff Bob McCrary (right) administers oath to Jo Ann Turner prior to her testimony. (Photo by Wes Burnett)

Foreclosure set for IRS property

A public sale of all "easements or claims by the Internal Revenue Service to control of lands, properties and tenements on the soil of Texas" has been ordered by the Milam District Court of Common Law Pleas following a jury decision on April 27, 1996. The public sale will be held in Austin on the north side of the State Capitol building June 18, 1996 at 11 a.m.

The jury decision was made following court arguments by Republic of Texas Foreign Legal Officer Richard L. McLaren. No representatives of the IRS appeared for the defense. The jury ordered the sale and that "proceeds of this sale shall be placed in the Treasury of the Provisional Government of the Republic of Texas for the Continuation of the process of postliminy on the soil of Texas by its People and Citizens."

The jury heard testimony from McLaren outlining the due process of law that there had been no response to "a final demand to show cause upon the UNITED STATES Internal Revenue Service, operating as a foreign agency on the sovereign soil of Texas," which demanded that the IRS vacate the soil of Texas within 30 days

from date service and demand (March 18, 1996)."

On April 26, 1996 a due and lawful Diplomatic Notice of Perfection of International Relations in accordance with treaty was served on the President and Congress, "which firmly established the reclamation of the nation of Texas and perfected the final element of Postliminium under the law of nations on the soil of Texas," the statement of findings and facts said.

The findings and facts also included evidence of True Bills of Indictment No. 1, No. 2 and No. 3 (see May 1996 Official Documents section of the Republic of Texas Magazine) which "perfected by a Texas International Grand Jury enabled in accordance with the will of the People and the law of nations, international conspiracy and theft of the assets and plunder of the People of Texas and of the state republics of the union existed and continue as war crimes on the soil of Texas."

The IRS or its agents "have refused to respond or contest the charges against it and against its agents... and continue to operate in total disregard of international law and treaty."



Citizen wins \$40 million judgment against Denison County officials

Paul Middleton, a commissioned officer of the "foreign de facto corporation known as the Federal Reserve," is facing a \$10 million judgment awarded to Christopher Baum following a jury decision April 27, 1996 in the Milam District Court of Common Law Pleas.

A notice of default on a Non-Statutory Abatement was presented to the defendant, who entered into default for failure to respond to the court notices.

The jury's decision found that the defendant, "through his silence and failure to appear, is in default (acquiesced) if said Non-Statutory Abatement, and had no lawful authority to detain, falsely arrest, and conspire to extort monies from Demandant (Baum), while traveling on the public highways, due to improper venue and jurisdiction."

In the same case, the court found the Justice of the Peace Precinct Two court clerk guilty by default and ordered the defendant to pay \$10 million to Baum. In addition, the court ordered Justice of the Peace Judge James E. Harris (Precinct Two) to pay \$10 million, also for failure to appear and in default. Finally, the Prosecuting Attorney of the Justice of the Peace Precinct Two was ordered to pay \$10 million for the same charges.



"If by mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution -- certainly [it] would if such a right were a vital one."

Abraham Lincoln

Milam court orders monetizing claim

The Republic of Texas Treasurer has been ordered by the Milam District Court of Common Law Pleas to monetize a debt of \$93,492,827,008,096 against the United States of America, Federal Reserve Bank, International Monetary Fund and Holy See in an April 27, 1996 judgment of claims.

The jury decision was made following court arguments by Republic of Texas Foreign Legal Officer Richard L. McLaren. No representatives of the U.S. appeared for the defense. McLaren represented the people of the Republic, using the March 17, 1836 original delegation of authority as amended in accordance with the common law and the law of nations.

In the findings and facts of the case, the jury took into consideration the evidence that McLaren, the Republic's Consul General, "did lawfully present a lawful claim for damages and war reparations to the Postmaster of the Arlington Post Office, Ruben Gonzales, operating on the soil of Texas as foreign agent for the UNITED STATES OF AMERICA, as presentation of lawful claim under the law of nations against the corporate UNITED STATES et. al., still

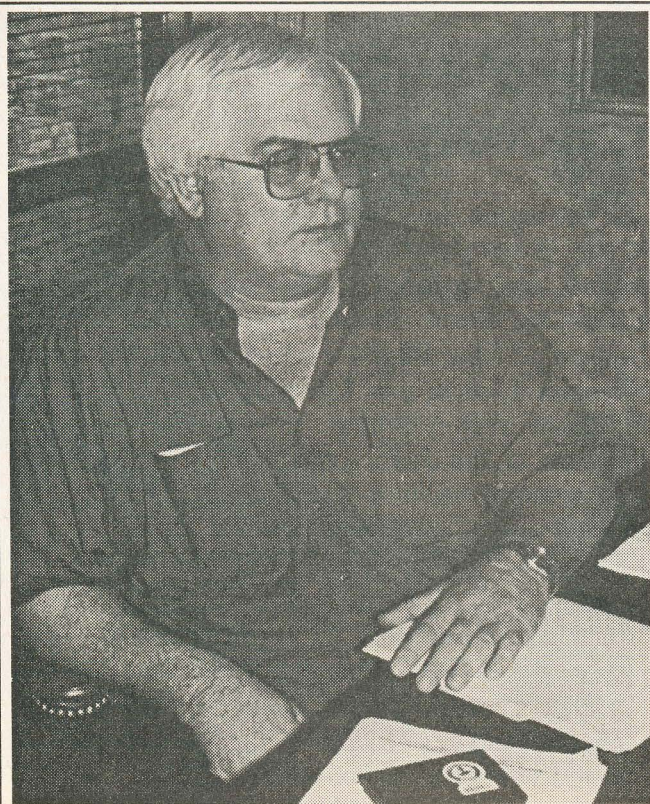
operating under war powers of the Civil War as amended and extended on March 9, 1933, which entities continue to plunder the lives, property, lands and political and judicial rights of the People and Citizens of Texas and its Republic."

The jury heard that the U.S. and its agents, after proper notice and opportunity, refused to reply or to contest the lawful claim in accordance with the law of nations. "That the rights of reserved domain of the Republic of Texas having been perfected on December 13, 1995, and finalized by Diplomatic Notice of Perfection of International Relations of April 26, 1996 between the UNITED STATES OF AMERICA and the Demandants, rights of international decisions in District Courts of the Republic of Texas so certified are now lawfully established."

The court ruled that the U.S. and its agents "lack lawful jurisdiction to operate on the soil of Texas, have continued since March 30, 1870, as invasionists on the soil of Texas and have internationally plundered and carpetbagged the People and the Nation of Texas in total disregard for the law of nations and treaty."

The jury ordered that "international judgment be entered in favor of the People and Citizens of the nation of Texas against the UNITED STATES OF AMERICA, its agencies and agents, the Federal Reserve Bank, and its agents, the International Monetary Fund, its agents and member Nations, and against any notice or claims to notice held by the Holy See, against such claims or right of claims on the soil of Texas or claims which might effect claims of Respondents on the soil of Texas as a corporate entity in the Amount of \$93,492,827,008,096 dollar units gold at 24.3 grains per unit dollar."

The court also ordered that the "monetizing of this claim as a lawful debt be perfected against the Respondents (USA) in accordance with the law of nations and that the lawful agents operating the Treasury of the Provisional Government of the Republic of Texas be instructed to take whatever steps are necessary for the collection of the debt, either in whole or part, on the soil of Texas and internationally, against the assets of the Respondents and/or their agents."



Milam District Court clerk Jesse Enloe

This court is different... it is the court of the people

by Wes Burnett

A few weeks ago I attended, for the first time in my life, a common law court. I can tell those of you who are unfamiliar with common law courts, the people's court has very little in common with equity courts sanctioned by the de facto state of Texas, or admiralty courts of the U.S. government.

True, there is a judge, clerk and bailiff. There is a jury and there are defendants, accusers and witnesses. But that is where the similarity ends.

Watching a common law court is like breathing fresh clean air... it invigorates the spirit and inspires the mind to see "common" folk like you and me taking charge of the responsibilities of being citizens.

At the Milam District Court of Common Law Pleas I watched intently and marveled at the informality and at-ease feeling of the room. Judge Tim Perkins opened the court with an explanation about the cramped and barely adequate facilities... the court is held twice monthly in an Arlington motel meeting room near the University of Texas at Arlington campus.

Perkins, who was elected by Republic of Texas citizens residing within the boundaries of the Milam District, explained to the assembled citizens and interested news media representatives, that the de facto state of Texas had offered a court room at the Tarrant County courthouse, "but it did not suit our needs," Perkins said. The traditional equity courts have platforms for judge and jury, and the Republic common law courts sit at the same level, to emphasize the equality of all participants. "We are waiting for them to provide a more suitable room," Perkins added.

During his opening remarks, Perkins emphasized that decorum and proper respect for all would be expected. He introduced bailiff Bob McCrary, clerk Jesse Enloe and deputy clerk Crystal Archer.

Perkins requested the approximately 75 citizens in attendance to put their names on a slip of

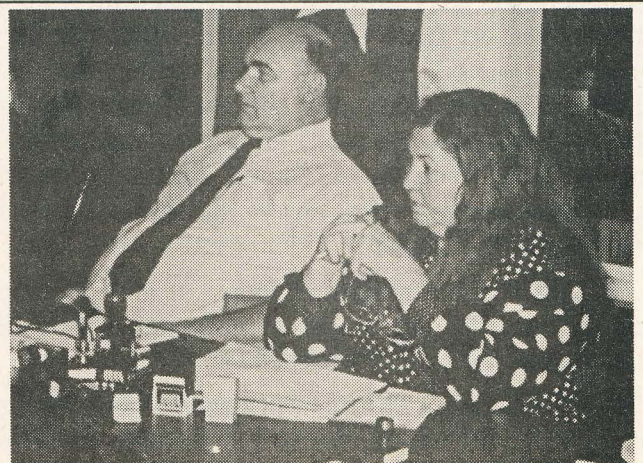
paper if any wished to volunteer to serve as jurors. After collecting the pieces of paper, McCrary placed them in a small box, shook it up several times, then began to draw names one at a time, shaking the box after each name was called. Citizens whose names were called quietly got up from their chairs and took seats set aside for the jury. When all 12 were seated, McCrary administered the following oath:

"I, (name), will examine the facts of the case, as they are presented to me, and the applicable laws of this nation, and in common law, as it pertains to each case, with a conscious void of prejudice, so help me God."

Getting started at 10 a.m., the jury heard four cases during the day, taking a lunch break and a few "stretching" breaks during the process. The final case was concluded at approximately 4:30 p.m. (see related stories for details on court judgments).

The provisional government's chief foreign legal officer, Richard L. McLaren, represented the injured party in two cases. After stating the charges, he asked if there were any of the accused or their representatives in attendance. In all four cases, none of the accused were present nor any witnesses or evidence presented on behalf of the accused.

(Continued on Page 24)



Milam District Court judge Tim Perkins (left) and assistant bailiff Crystal Archer listen to testimony during presentations at the April 27, 1996 court session. (Photo by Wes Burnett)

How much are you willing to pay to be free?

by Charles W. Duncan

Here is the basic problem. There is a place somewhere where there is the freedom and independence you have always dreamed of exists. All you have to do is to pay the price to get there. How much will each of you pay to have this freedom? How much out of your pockets each week until this independence is yours and your children's? Think about it, and while you are thinking, let's review some history, past and present.

Let's remember Philadelphia in 1776! Fifty-six men met together and signed a new document. That parchment was to stand forever as a partnership between the living, the dead and the yet unborn. We call it the Declaration of Independence.

You see there is a price tag on liberty. You will recall the last paragraph of the Declaration of Independence states: "We mutually pledge to

each other our lives, our fortunes, our sacred honor." The fifty-six signatures on that Declaration of Independence were kept secret for one half year because the gallant fifty-six who signed that promise knew when they signed that they were risking everything. If they won the fight, the best they could expect would be years of hardship in a struggling new nation. And if they lost... they'd face the hangman's rope as traitors.

Of the fifty-six few were long to survive. Five were captured by the British and tortured before they died. Twelve had their homes looted or destroyed by the enemy. Nine of the fifty-six died in the war from its hardships and bullets. Wealthy planter and trader Carter Braxton of Virginia saw his ships swept from the sea in battle. To pay his debts he sold his home and all his properties. He died in rags. Thomas McKean of Delaware was so harassed by the

(Continued on Page 25)

Different kind of court...

(Continued from Page 23)

In this common law court, jury members, after hearing evidence from the accuser, asked questions of the accuser. After hearing the evidence, the jury entered into discussion among themselves, in front of the public, then the jury foreman called for "ays" and "nays" on the charges. In only one case did the judge request the public to exit the room for private deliberation by the jury. Perkins explained that in a better court environment, the jury would leave the room for private discussion.

All cases were ruled in favor of the accuser, mostly by virtue of default by defendants who did not appear to defend themselves.

It is exhilarating to see citizens taking charge of settling disputes, using their own sense of fairness, justice and common sense. In common law court, there is no need for specialized attorneys to explain the law... the law is quite

simple... it is the common law, based on the supreme law of the nation, its constitution and legally ratified treaties. The rest is a mere matter of discovery, through presentation of facts, evidence, witnesses and questions from individual jury members.

There is no prosecutor. The judge serves as a moderator to insure the rights of the accused and to guide the jury in matters of procedure. It is so radically different from courts most of us are familiar with, it is almost impossible to describe the utter simplicity and lack of pomp. One flag adorns the room, and it is a non-fringed Texas flag. Court officials are dressed as they probably dress for work. It is the people's court, and once Texans discover the power they hold through their constitutionally empowered common law courts, there will be no turning back to the old, unworkable, complex, royal courts of the de facto state government.

enemy that he was forced to move his family five times in five months. He served in Congress without pay, his family in poverty and hiding. And Thomas Nelson Jr. raised two million dollars on his own signature to provision our allies, the French fleet. After the war he wiped out his entire estate paying back the loans. He was never reimbursed by his government. He died bankrupt and was buried in a unmarked grave. Thomas Nelson Jr. pledged his life, his fortune, his sacred honor. John Hart was driven from his dying wife's bedside. For more than a year he lived in forests and caves and returned home after the war to find his wife dead, his children gone and his property worthless. He died a few weeks later of exhaustion and a broken heart. John Hancock, one of the wealthiest men in New England, stood outside Boston one terrible night of the war and said, "Burn Boston, though it makes John Hancock a beggar, burn!" He too lived up to the pledge.

These men, our ancestors, considered liberty so much more important than security that they pledged their lives, their fortunes and their sacred honor. They fulfilled the pledge... they paid the price... and freedom was born!

But alas, that was then and this is now, here, in the beginning of the re-establishment of the Republic of Texas. On April 19th of this year, at a meeting in Dallas, Secretary of Defense for the Republic of Texas spoke and got a standing ovation. He needs - we need - the Republic and the Provisional Government need more than applause. They and we need people willing to pay the price for freedom! Here is much of what Secretary Lowe had to say...

It's true that history repeats itself. The Republic of Texas today is not so very different from the fledgling nation of 1836. Citizens want success but so few are willing to become involved.

It was true in 1836, and it's true in 1996. The lawful process that made Texas a sovereign nation among nations in 1836 was attended to by only a few. Where are the people today? Where is the assistance and participation so desperately needed by our new-born nation? It seems that the nation of Texas today is attended to by only a few.

May I pose a question? If our endeavors do not succeed, what is the alternative? What lies ahead for the people of Texas - for the people of the

united States - for the people of the world? We have all heard the story "For the want of a nail . . . a kingdom was lost." My fellow Citizens, we cannot fail. The Republic is a gift of which we dare not think lightly. We must not throw away this opportunity to be free! Texas hasn't been free for 150 years - we can't wait another 150 - we can't afford to wait another 10 years!

It must be now, or the gift may be forever gone. If assistance is not soon forthcoming, the opportunity to move Texas to a constitutional convention and secure the blessings of liberty to our people might be forever lost. In 1845, due to lack of Citizen participation and funding, Texas was unable to maintain her status as an independent nation and became a state within the Union, ultimately subject to the lordship of Washington, DC.

Fellow Texians, we need your help, and we need it now. This is a call for assistance. So many people have amassed wealth, property, and possessions for the times in which we live, for their futures. But let me ask: if Texas doesn't gain her freedom, what will you do - what will be the future for you and your children? It is time to contribute, and we must - every man, woman, and child of this Republic - pledge all that we have, all that we are, our wealth, our lives, and our sacred honor to the success of the Republic of Texas.

The Republic prays for immediate assistance. If you have two of something, Texas needs one; if you have an excess of anything, Texas has need of that excess. Nothing is too small or insignificant. Just recently, someone gave another person their last dollar to give to a Council member, and was ashamed that it was all that she had to give - it seemed so little. But it's those who don't commit to the cause of freedom who should be ashamed. May I say that hers was the largest gift ever received by the Republic, because she gave all that she had.

OK, some specifics from Secretary Lowe's speech - what each of YOU [us] can do! Back to his remarks...

The Republic of Texas has need of:

1) Volunteers - in all fields. Example: Citizens in every county who are willing to act as liaisons between their Sheriffs and my office, specifically to set up appointments so that I can personally present our case to as many Sheriffs as possible.

- 2) Computers, personal and laptop.
- 3) Printers, black and white, and color.
- 4) Fax machines, copiers, and paper.
- 5) Office space and office furniture.
- 6) Transportation - cars, planes, trucks, or even trains.
- 7) Communications equipment and HAM radio gear.
- 8) Most of all, funds - to pay for mail-outs, travel expenses, office rental, phone bills, equipment, and all the hundreds of things it takes to run a government!

Until assistance is forthcoming, and funds are available in the Treasury of the Republic of Texas, we are all paying our own way, out of our own pockets as we are able, and that's just not the way to provision a government of the People. Again, we call on all Texians at this critical hour,

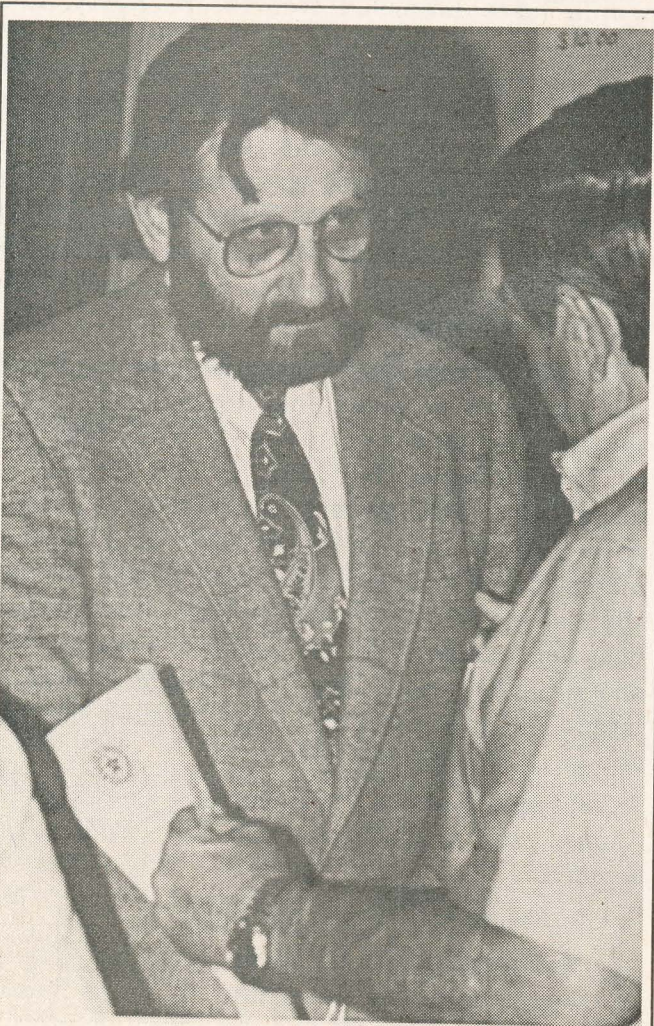
we need your assistance - yes, yours! We need both contributions and commitment, and no gift of the People is ever too small. God bless your efforts, all that you are able to do, and God bless the Republic of Texas - may her People live free forever!

Well fellow Texicans - that's what he said. And that's what he meant. And it's true. The Republic needs help, all sorts of help if WE are to have the freedom and independence we say we want so badly!

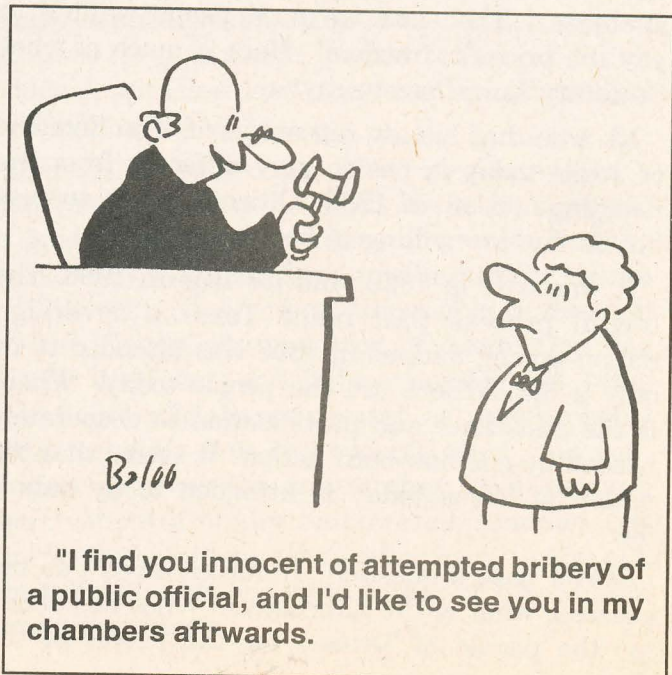
We know what the price was for the men who signed the Declaration of Independence in 1776. We know what the price was for the men at the Alamo. We know what the price of freedom was then. And for every man who died, for every man who fought, more gave their money and their time - and yes, like those who signed the Declaration many never got repaid. Except in Freedom and in Independence.

Tell then, what is the price of freedom today? And tell me true — are we willing to pay that price? Are we willing to give our money, our time, our goods, our skills, etc. to insure that the Republic of Texas will NOT die during this re-birth?

ARE YOU WILLING TO PAY 10% OF YOUR MONEY - AND 10% OF YOUR TIME FOR FREEDOM?



Secretary of Defense Archie Lowe (left) listens to a citizen at the April 20 council meeting in Dallas. (Photo by Tim Burnett)



The myth of Texas annexation: Part 2

by Wesley W. Burnett

The idea that Texas is not, and never was a state of the union with the united States, is a puzzle and mystery to many people... especially those who believe they know their Texas history and are bewildered that anyone could possibly challenge such a well-known "truth."

I was one of those people when I first heard this startling bit of news.

However, being the inquisitive fellow that I am, I had to find out for myself if this fellow Rick McLaren from Fort Davis was just puffing smoke or, as he so convincingly emphasizes, is there some evidence I wasn't aware existed?

So, I ordered a copy of the so-called 1844 Treaty of Annexation from the Texas State Archives. And from the "Documents of Texas History," edited by Ernest Wallace with the assistance of David M. Vigness of the Texas Technological College department of history, I found the answer to my question.

There was a treaty, but it was a one-sided affair. The people of Texas approved a treaty of annexation in 1844... but when President John Tyler presented it to the U.S. Senate for ratification, the senate rejected the document on a 35-16 vote on June 8, 1844.

Then after the 1844 election, Tyler took his victory as a sign that Texas should be annexed, and proposed a joint resolution of Congress for the completion of his goal. It was not smooth sailing, but on February 28, 1845, a joint resolution of Congress was approved and Tyler signed it. Texas approved the document on July 4 of that year.

Okay, so why the question about a valid treaty?

A joint resolution of Congress does not satisfy the requirement of ratifying a treaty nor is it in any way considered binding in law. There was no legislative act empowering the so-called annexation.

A joint resolution, which requires only a simple majority vote, carries no lawful order... it is simply a statement of intent of the Congress... and it has no future binding implications. For example, look at recent joint resolution of Congress regarding Haiti, Bosnia, Persian Gulf... these resolutions merely express the current will

of Congress, but do not require any response and have no force of law.

Even if the Constitution authorized the annexing of foreign nations, even if the Constitution authorized securing a treaty for that purpose, the treaty itself was not ratified. In fact, when the treaty was submitted properly to the senate, it failed by a large margin. For political expediency, and seeing no way to circumvent the mood of the senate, Tyler simply called for a resolution, which he knew required only a simple majority.

Everyone walked away happy. And, until 1861, the people of Texas behaved as if they lived in one of the states of the union. In 1861, they rebelled at the all-powerful central government concept, and voted overwhelmingly to restore their independence and did so. Although the people shortly thereafter agreed to unite with the Confederate States of America, they did not dissolve their beloved Republic of Texas.

Back to the U.S. Constitution and treaties... let's take a look at Article 2, Section 2 (clause 2):

"He (the president) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; ..."

Now, please someone, anyone, show me that Article, Section and clause of the U.S. Constitution that says joint resolutions of Congress may replace treaty making "with the advice and consent of the Senate..." It doesn't exist. And the reason it doesn't exist is that those brilliant thinkers who wrote that constitution knew how important it was to require two-thirds votes on matters of such critical nature as treaties with foreign nations... and the Republic of Texas was (and is) a foreign nation.

But, let's give those folks the benefit of the doubt, that it is okay to overlook the restraints of the constitution when it is convenient for this cause or that... can the U.S. annex a foreign nation, under any circumstances? Does the Constitution provide this authority?

The only reference to annexing states is found in Article 4, Section 3:

"New States may be admitted by the Congress into this Union; but no new State shall be formed

or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."

Okay... where is the provision for annexing a foreign nation?

There are those who claim that since it doesn't say it can't be done, then it's okay to do it.

That line of thinking completely destroys the idea of limited constitutional government, which the founders clearly intended. In fact, they intended it so forcefully the 10th Amendment was added to make sure there was no doubt... that only the specified powers stated in the constitution were allowed to the central government... if the constitution doesn't give the power, it can't be taken.

If that doesn't convince the doubters, how about the comments by John Quincy Adams in 1837?

"The power of annexing the people of any independent state to this Union is a power not delegated by the Constitution of the united States to their Congress or to any department of their government but reserved to the People... It would be the duty of the free People of the Union to resist and annul attempts to annex the Republic of Texas."

I may not be the brightest fellow in the world... but it didn't take me very long to accept this

"The Revolution of the United States was the result of a mature and reflecting preference for freedom, not of a vague or ill-defined craving for independence. It did not contract an alliance with the turbulent passion of anarchy, but its course was marked, on the contrary, by the love of order and law."

Alexis de Tocqueville

"Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it."

Judge Learned Hand

evidence as irrefutable, that the Republic of Texas annexation was and is a great example of political fraud, as well as a complete disregard of the U.S. Constitution. The surprise is that circumventing the Constitution has been going on for quite some time, it didn't start in modern days. There have always been, and I suppose always will be, those people who can't abide by the restrictions of a limited government, and must find ways to cast that nasty old document aside when it is convenient to their cause.

John Tyler and Sam Houston were no exception to this weakness... and I feel badly about fussing with "Old Sam," but the evidence is mighty heavy that he was a central figure in this sham.

If the constitution doesn't specifically delegate the authority, then there is no authority. And it doesn't matter how long an unconstitutional act has been observed... whether it be two years or 200 years, it is still unconstitutional. Slavery, of course is the most obvious example in our history. The almighty Supreme Court ruled that people could be held as property... it was the "Supreme Law of the Land," until years later people saw the error of their ways and made the appropriate change.

There is a way for the Republic of Texas to become a state of the Union... that will require two important Constitutional steps:

(1) The people of the united States will have to amend their constitution to allow for the annexation of a foreign nation.

(2) The people of the Republic of Texas will have to decide if they want to give up their new-found independence, freedom and liberty, to join the people in those other states who suffer under the tyrannical dictatorship of democratic rule.

Until those two conditions are satisfied... there is no logical conclusion to this debate than to admit the simple fact that the Republic of Texas was, has been and is an independent nation. Perhaps the vast majority of its people do not realize it yet, but when they do the vote for independence will sweep over this great nation like a mighty flood.

Annexing Texas was unconstitutional... it is time to recognize that error and begin living as free and sovereign people, blessed by God with liberty and justice in a republic, where a pledge to God comes before a pledge to a flag.



Carrollton business man challenges state on sales tax issue



Jeff Katz

State attorney general Dan Morales brushed off Carrollton businessman Jeffrey Katz' request for an opinion regarding payment of sales taxes in a March 23, 1996 letter. Not to be silenced on the matter, Katz presented the "hot potato" to state comptroller John Sharp in an April 15, 1996 letter.

He is still waiting for an answer from Sharp.

In the letter to Sharp, Katz said that "since I have no standing with Dan Morales; then I must ask you to seek an answer for me. Reference my letter (ID3# 38676) when corresponding to the Attorney General's office. I have enclosed a copy of the letter from Sarah J. Shirley, Chair, Opinion Committee, in which it says that they are unable to be of assistance to me now and in the future.

"This is to inform you that since I have not received an answer from your office regarding my March 5, 1996 letter to Dan Morales, which was forwarded to you, the funds are set aside and I am awaiting your response prior to relinquishing the funds to the Republic of Texas.

"I would appreciate it if you would consider this matter of some importance, and please respond within 10 days. If I do not hear at that time, a 5 day grace period will commence. You may request more grace for a valid reason: not for the purpose of delay. If you do not respond I will consider this acquiescence to the Republic of Texas' demand and the sales tax moneys will be turned over to the de jure government, that is the Republic of Texas.

"Please note, your acquiescence means that no action by the de facto regime will be taken against me, my business, my family or any of my possessions.

"I am acting in good faith and this is an excellent lawful question. I will pay either party. Only one can prove the right to possess these funds. These funds are for the People of Texas."

Katz sent copies of the letter to Governor George Bush, Dan Morales, Republic of Texas treasurer

Darrell Dean Franks, Chief Foreign Legal Officer Richard L. McLaren, Counsel General Robert Louis Taylor, sui juris Lewis Thompson Mohr and sui juris Douglas Ralph Saint.

Attachments, in addition to letters to and from Morales, included certificate of testimony, Supreme Court of Texas Case Number 95-1002 Dismissal for lack of jurisdiction; Teas Rules of Court 1994, Rule 53 Special Act or Law, Republic of Texas Common Law Court of Please letter March 27, 1996 (p. 1-3); Default Judgment on Common Law Writ of Quo Warranto under the law of nations, Republic of Texas letter from Chief Foreign Legal Officer Richard L. McLaren to David Robinson, Asst Commissioner, IRS and letter from Darrell Dean Franks, Republic of Texas treasurer, on instructions for payment to the Treasury of the Republic of Texas with any moneys or credits owed to the State of Texas.

Katz' two page March 5, 1996 letter to Morales explained the dilemma regarding "the collection and remission of statutory sales taxes of the de facto corporate STATE OF TEXAS now that I have become a Citizen of the Republic of Texas and have renounced all contracts of and in the de facto STATE OF TEXAS, including, but not limited to all those that are taken as silent judicial notices as well as those adhesion contracts that I know nothing about, as well as willfully omitted ramifications of contracts that I may have been a party to as a result of dwelling, travel or business.

Katz then requested a legal opinion as to his obligations, and included documents supporting the claims by the Republic of Texas as to its independent nation status. He also requested that Morales and work with the provisional government in the transitional plan for the Republic of Texas. ★

Stupidity cannot be cured with money, or through education, or by legislation. Stupidity is not a sin, the victim can't help being stupid. But stupidity is the only universal capital crime; the sentence is death, there is no appeal, and execution is carried out automatically and without pity.
R.A. Heinlein

The kidnapping of our Chief Ambassador

by Chris Leonard

I don't know for sure, but I think God wanted us to be in Fort Davis on Saturday, May 4. Let me tell why.

It started like this earlier in the week: one guy called the other: "I've got some unexpected time off, let's go to the Davis Mountains." The other guy says, "I was just sitting here thinking, I'm going up there, whether anybody else does or not."

They each began to call all the other guys. Some are Republic of Texas citizens, some just committed patriots... men with different view points, but all with the same dream: FREEDOM!

We had been flirting with the idea for weeks, conflicting schedules, family obligations and just plain life in general kept us from our goal. Little did we realize that this trip must have been planned by someone greater than any of us.

When I got the call to join the others, I said, "I can't go," and gave all those reasons. But I wanted to go so badly... yet I knew I had these responsibilities, and those had to come before personal pleasures. Isn't it amazing what can happen in 24 hours?

I got a second call the next day. I knew in my heart I needed to be there. I wanted to be there. My intentions were not to see the mountains, but the man who lives in the mountains. I wanted to pick his brain, hear his dreams from his heart and see his vision for the Republic of Texas. I wasn't even sure if he would be there, but I hoped. My only contact with Rick McLaren had been brief encounters at council meetings, nosing my way through the crowd of people trying to do the same thing. I have spent lots of short, quick telephone calls, unable to take notes because of the rapid-fire speed at which he processes information. After finally catching him on his mobile phone one evening just a few days before we were to leave, he said, "I'll be there, come on down."

Like a child waiting for Christmas... that was me the days prior to our departure. He said he

would be working in the vineyard and I was willing to help or even do the work, while he talked. This idea of the Republic of Texas has stolen my heart and stirred my spirit. Even after being threatened with the loss of my job and being dis-fellowshipped from my home church, I refused to let go. And now, I was going to get the chance to steal some precious time with the man whose knowledge about the Republic is unmatched.

We had planned to leave Saturday morning after I had finished a last minute job for a customer. That put us about an hour behind our schedule, but we were finally on our way. About an hour into the trip, I called from my mobile phone and told Rick that we would be there in about three hours. "See ya' when you get here," were the last words I heard from Rick McLaren until a recent collect call from his imprisonment in Monahans.

He was kidnapped about an hour before we arrived at his place near Fort Davis, and has been held for ransom in that county jail since then. That was one hour I felt personally responsible for... maybe, if I had just worked a little faster, a little harder, or rescheduled the customer to another time, we would have been there in time to have at least been his witness at the time of the kidnapping.

My heart was breaking.

When we got there, we stopped on the road at the bottom of the vineyard, where we could see a woman pacing back and forth. I was anxious, so I encouraged my companions to go up and see if Rick was there. We could locate a camp site later. When we got to the top of the hill, we were met by Rick's friend, Evelyn. We asked her where Rick was and she said, "I don't know, I told him I would be back in about an hour." I remember Evelyn saying, "this is kinda buggy," as she sensed that something wasn't right. The tractor was there, his car was there, the briefcase and wallet... but no Rick. After waiting for about 15

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Where is Stephen F. Austin when we need him?

by Lauren Lynn Savage

I was reading, with enthusiasm the first edition of the Republic of Texas Collector's Edition Magazine. One paragraph in an article entered anonymously caught my attention. It was calling for statesmen of the caliber of Stephen F. Austin.

As I pondered this thought of this statesmen, Stephen F. Austin, it suddenly came to me that we already have such statesmen in our Republic. We have them under our noses and don't recognize them.

I immediately had to read up on Stephen F. Austin and find out what kind of man he was. I wanted to know what he stood for and what he did.

When Mexico gained its independence from Spain it started under a constitutional government, based upon the united states of America constitution. Stephen F. Austin translated the American constitution into Spanish for the new government.

There were conventions held in 1832 and 1833 in Texas, a province of Mexico. These were the first official rumblings from the people of Texas seeking an end to the unfair justice system by Mexican bureaucrats. Texas was being subjected to judges out of control and operating outside the constitution of Mexico. There was about fifty

delegates to both conventions and Stephen F. Austin was elected president of the conventions. At the second convention Austin was selected to take the Texas demands to the Santa Anna government in Mexico City.

Stephen F. Austin was a man showing no fear of the presumed authority of government officials. He would continue to enter his demands for justice and the end of tyranny. He would bring the facts that the government bureaucrats in Texas were violating the Mexican constitution, the laws of the land and oppressing the residents. Mexican law had been changed and was taking land, rights, and freedoms away from the people of Texas by the government.

Stephen F. Austin would challenge the president of Mexico, the judicial system of Mexico and any and all government bureaucrats. When he believed he had convinced the Mexican government of his demands legally, peacefully, and diplomatically, he was suddenly arrested without warning and placed in the Inquisition prison in Mexico City. Austin was not allowed bail nor informed of the charges against him.

Austin was in Mexico City and witnessed the Santa Anna regime start up chaos and insurrections in the city. Santa Anna would then

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Kidnapping...

(Continued from Page 30)

or 20 minutes, we told her we'd be back.

We went to look at some land, but in the pit of my stomach I knew something was wrong. I recalled my conversation with Rick earlier in the week, when he mentioned that "they might call out the marshals" and "maybe it's time to put on the dog tags." I remembered a conversation I had with one of the guys... "what would we do if they tried to arrest him while we were there?" I remember saying I would do what ever the ambassador said was the correct thing to do.

But I missed that opportunity... by one hour. That one hour, was it a blessing or a curse? How would the marshals have responded if we had been there when they arrived? Would they have

taken us as a threat and called out the cavalry and perhaps turned that peaceful vineyard into what the media would call the "McLaren compound?"

We will never know. Maybe God's hand was in it the whole time. Those who ordered the arrest, and those who took him crossed over the line, but we, the citizens, have protested peacefully and lawfully. That is the way I know that Rick wants it to be.

I remember one of the fellows said, "Chris, maybe you putting us behind was a good thing." I say, no, it wasn't a good thing... it was a God thing. An hour of prayer, and running an hour behind. One hour, one measly hour... it's amazing the difference one hour can make.

Free or slave? Which will it be?

by *Charlie Duncan*

FREEDOM!

We spend a lot of time in this Magazine, and in the Republic of Texas, and just in our day to day lives talking about freedom. But can you define FREEDOM? What are the standards by which each of us can tell if we are 100% free? Maybe none of us are - maybe we are only 50% free. But if we have no scale, no ruler, no way to measure, we can't tell.

Perhaps the very best way to talk about being a free person - 100% free, is to first talk about the absence of freedom, ie, being 100% NOT free!

Total lack of Freedom is Slavery.

If you were a slave you would have no rights. You would have no freedom. You would live where you were told. You would eat what you were given. You would wear clothes only if someone else wanted you to.

Your very body, your person, would belong to

another. That person could hit you, starve you, work you, sell you, breed you if he wanted — **your** body belongs to him to do with as he wishes.

As a slave not only does your body belong to someone other than yourself, so does everything you make or produce. Invent a machine and it belongs to someone else. Any reward you get is a gift from someone else. You have no right to any reward or money. Nothing you make or grow is yours. The products of your mind and your body are no more yours than your body belongs to you.

We call that slavery. It is by it's very definition the opposite of freedom. It is being 100% not free.

So 100% freedom must be the exact opposite.

If you are free you own your body. That means no person or group of people or government can
(Continued on Page 33)

Stephen F. Austin...

(Continued from Page 31)

get the support of the conservatives to end the reign of the liberals. All the time, though, the liberals in power were actually installed by Santa Anna himself. This secured his position to hold both factions and convert the government to a central dictatorship.

At that time Austin made no mention of making Texas a separate nation, but only of allowing Texas to be a state of Mexico. Though never an official charge, allegations were made by irate government bureaucrats that Austin's actions were tantamount to treason. Austin spent eighteen months in jail, never charged or tried. He was a political prisoner of the government for fighting for the constitutional rights of the people of Texas.

Here was a statesman for the people of Texas, fighting for their constitutional rights, and thrown in jail for simply talking.

One hundred and sixty years later:

There were conventions held in 1995 and 1996 in TEXAS a STATE OF THE UNITED STATES.

These were the first official rumblings from the people of Texas seeking an end to the unfair justice system by STATE and FEDERAL bureaucrats. Texas was being subjected to judges out of control and operating outside the constitution of the united states of America and the constitution of the people of Texas. There was about three hundred delegates to both conventions.

In our time there are any number of Texans who are suffering as did Stephen F. Austin, either having been imprisoned, are still sitting in prison, for simply being citizens of this Republic. My friend Steven Jeffries is one of those. I believe those of us who are still free should help those who need our help.

Please send any donation - small or large to the defense fund for Jeffries. Lets use our dollars to help end this atrocity against a true statesman. Send any help you can to the San Antonio address below and mark it Freedom from Tyranny.

Republic of Texas; P.O. Box 460554, San Antonio, Republic of Texas TPZ 78246 (210-349-8994).



Are you self owned, or ?

(Continued from Page 32)

tell you what you can do with your body or to your body or with your body as long as you do no harm to others or their property.

You can partake of what foods or drinks or herbs or pharmaceuticals that you chose, IF your body is really 100% yours.

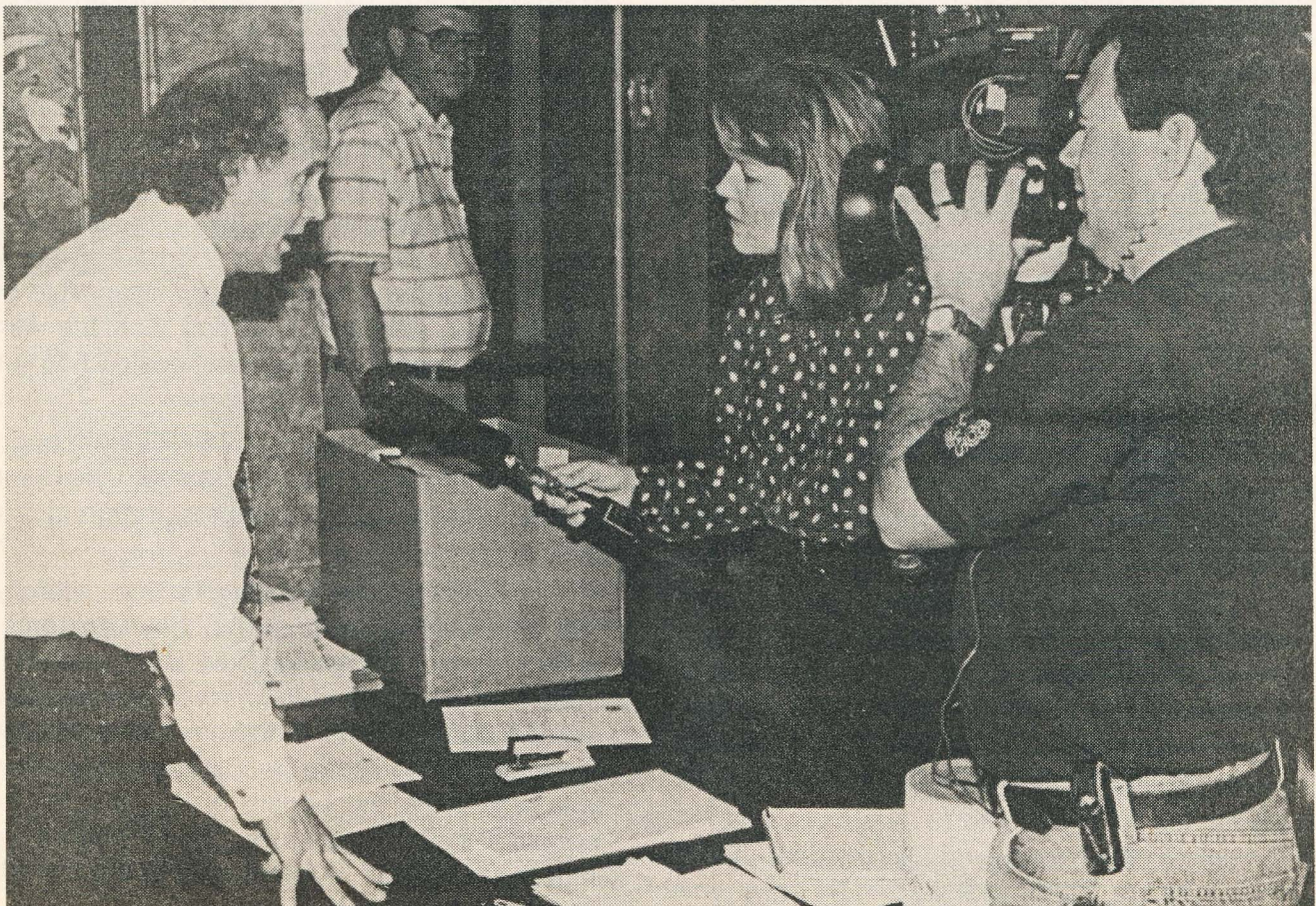
The products of your body, your person, are also yours - totally and completely. If you made it, thought it up, grow it, buy it, what have you, it's yours. We call these products, property.

You can keep it. Throw it away. Sell it - it's all yours. And if you trade it or sell it the goods you get or the money you earn is also completely yours. The property you buy or make or earn or have given to you, is yours. You have to share with no one.

That means no one "sells" you a licence to do the work you do. No one takes part of your work for "allowing" you to do it. You own no one a penny no matter how much you earn or produce.

Think about it - in a society where people are free, REALLY free, they "own" themselves and anything they produce. No one tells them they can or cannot do something — with the limitation that no one may harm another person or the products of their persons [their property], not directly nor by threat, nor by fraud.

Can you live with those rules? I hope so, because it is those rules - and the lack of all those other rules and regulations and agencies and bureaucrats - that define being 100% truly free!



Chief Foreign Legal Officer Richard L. McLaren (left) explains to Dallas' WFAA news report Valerie Williams (center) about a case to be presented to the Milam District Court of Common Law Pleas during the April 27 court session. Tom Gipson (background) watched the interview. Ms Williams and the television crew were at the court session all day. (Photo by Wes Burnett)

Utterback raises important questions...

by Charles W. Duncan

Well folks, this is a long article based upon replying to Bill Utterback's post on the Internet with his thoughts about the RT and as it turns out confusion about both the RT and the history of both Texas and the United States.

Bill, while I haven't met him, is said by mutual friends to be an intelligent and open minded fellow. I think the questions he asks and the points he tries to make are important to answer here in the Magazine for all to read. Because they are good questions in that they will be the same ones you will hear or read or see talked about on TV over the coming months and even years.

Here's the information. Share it with these people - remember that they are Texans too, and that given a chance they will chose freedom and independence.

Share the hope. Share the facts. Share the information.

Comments by Bill Utterback

Republic of Texas (RoT) Claims

Actually it's RT in the same way we use USA rather than USoA.

If a group of people want to form a council and attempt to convince Texans that Texas should once again secede from the Union, they absolutely have the right to do so and I support that right. RT, however, goes beyond this by making as yet unsubstantiated claims that Texas was never annexed to the Union as a state. Then on top of this, RT claims to be the Provisional GOVERNMENT of the Republic of Texas.

I not sure what Bill means by unsubstantiated claims that Texas was never annexed into the Union. There is NO treaty annexing the RT at anytime in the 1800s nor in the 1900s. Further, the US Constitution does not allow for annexation of sovereign foreign nations. It didn't in the 1800s and it doesn't today.

As to the Provisional Government - that's what they are. They were elected by the people of the Republic of Texas when it was reclaimed and re-established under International Law.

Article 1, Section 1 of the 1876 (current) Texas

Constitution states, "Texas is a free and INDEPENDENT State, subject only to the Constitution of the United States . . ." Section 2 states, "All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a REPUBLICAN form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient."

It looks to me as if the people of Texas have already elected the government of the Independent Republican State of Texas.

Let me jump in here for a moment. And I'd like to thank Bill for quoting from the 1876 Constitution that he believes is the current one. He's wrong and here is why.

In 1861 by a very large majority the people of the Republic of Texas voted to sever any legal ties they had with the USA. Since they were under the mistaken impression that they had been annexed, this took the form of a declaration of secession. The Republic of Texas was officially re-established. No question here.

The Republic of Texas [still a Republic] was captured by military force by the USA in 1865. The RT was then placed under military rule by people who, although they had won the war, were angry over all the death and destruction that had taken place during that time.

Likewise, the people of the RT were angry and upset and in no mood to deal with the Union or their carpetbaggers except at the point of a gun.

And it was at the point of a gun - literally, that of the Military Government - they were forced to write a new Constitution, swear oaths, etc., in order to be a little more in control of their own lives and property. So let's read from the very beginning of this Constitution that Bill seems to believe was written by the people of the RT, for the people of the RT, and that is, "Texas is a free and Independent State, **subject only to the Constitution of the United States . . .**"

Wow, strong words of support for people who **hated** the Union don't you think. And if you

read the rest of it, you will find that surprise, surprise it is full of EXACTLY what the Union Government dictated HAD to be in this so called expression of the will of the people of the Republic of Texas.

But let's assume that, miracle of miracles, that the People of the Republic of Texas really wanted exactly what is contained in the 1876 Constitution. Where is the part about dissolving the Republic? Where is the part about petitioning the US Congress for the admission? And most importantly **where is the Amendment to the US Constitution** allowing them to annex or to admit a foreign sovereign nation into the Union as a State?

Bill owns a bookstore. Now if I go there tell him that I will shoot him if he doesn't sign it over to me, the "contract" he then signs (not wanting to be killed) is NOT VALID because it was made under duress. As was the Constitution of 1876 made under duress. It isn't any more legal and valid than the hypothetical contract for Bill's store.

Since only the people of Texas can choose their government, exactly when was it that the people of Texas elected the RT General Council as the Provisional Government of the Republic of Texas? Most of the people of Texas simply do not know and/or care about RT. Just compare the numbers in attendance at RT meetings with the numbers of population in the same cities; the percentage is minute.

I guess the point Bill is trying to make is that the REPUBLIC of Texas can only be re-established under DEMOCRATIC rules... I hope soon everyone in Texas knows all about the RT and its transitional plans etc. And when they do, I think that the vast majority will support them and will want vote to continue as a Republic after the Constitution is re-written in convention. But citizens at the meetings who elected this government etc. are just as legal and just as valid as those back in 1776 in the BRITISH Colonies and those in 1836 in MEXICO. Remember, there only a handful of citizens at those meetings also.

In 1836 the Republic of Texas was founded.

On 3/1/1845 the U.S. House and Senate voted to approve a Joint Resolution that told the people of the Republic of Texas, in effect, that if they would enact a new constitution to be a state in the U.S. and that new state constitution was approved by the U.S. Congress, then Texas could be

annexed to the Union as an equal state.

The Texas Congress voted on 6/23/1845 in favor of annexation. A Texas Annexation Convention, called for the purpose (as required by the U.S. Joint Resolution), accepted the offer in the Joint Resolution on 7/4/1845. The Annexation Convention wRTe the 1845 Texas Constitution and completed it on 8/28/1845. The preamble states that the 1845 State Constitution was established "in accordance with the provisions of the joint resolution for annexing Texas to the United States." The people of Texas voted on 10/13/1845 to approve annexation and to enact the 1845 Texas State Constitution. * At this point the Republic of Texas ceased to exist and the State of Texas came into being (subject to the approval of the U.S. Congress). * On 12/29/1845 the U.S. Congress and President recognized Texas as a state in the Union.

True, but quite meaningless. First a Joint Resolution is NOT now and was not THEN the same as passing a law. Second, there was never a subsequent treaty made with the Republic of Texas even though the people of Texas in 1845, wanting to be annexed, followed their directives to the letter. And finally, even if they US Senate had approved a treaty [they didn't], or the US Congress passed laws to annex the RT [they didn't], the authority to annex a foreign sovereign nation into the Union is not a power given to the Congress of the United States.

And lastly Bill, "recognizing" Texas as a State, something the President and part of the Congress - as well as the RT wanted, is NOT the same as a law or the actual treaty needed. Your point that Texas ceased to be a Republic on 10/13/1845 just doesn't hold up.

In 1861 Texas seceded from the Union, as was the right of the people of Texas.

Yes - see above.

In 1876 Texas rejoined the Union, as was the right of the people of Texas, by enacting the 1876 Texas Constitution.

They did so **UNDER DURESS** and the Constitution, that according to you was written by the people of Texas for the benefit of the people of Texas, was dictated in its form and in much of it's content from Washington DC.

Since "they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient",

the people have the right to again secede from the Union any time they want. This is, however, not a decision to be made lightly.

Yes I agree. And if the 1876 Constitution was valid, not made at the point of a gun, and IF the US had the authority to annex the Republic of Texas, then I agree the People of Texas might well need to be talking about secession.

But the Republic of Texas is not a State of the Union today, it was not in 1876, and it was not in 1845. Wishful thinking and playing fast and loose with the Constitution of the United States doesn't make it so either.

Personally, I would prefer for the American people to peacefully regain control of their out-of-control state and, especially, national governments and return to limited, constitutional government. I hope and pray that America can once again become a guiding light to the world. I intend to devote my efforts to this cause and it is for this reason that I am a candidate for the Texas House of Representatives. If and when I became convinced that this return is not possible,

as an absolute last resort, I would support secession.

A nice statement, based as I said, on a misinterpretation of history and the Laws and the Constitution of the United States, that Bill believes quite sincerely controls Texas today.

I say again that if RT wants to form a council and attempt to convince Texans to secede, they have that right and I support their right to proceed in an honest, lawful manner.

The RT job is not to attempt to convince people to secede. That would be like having the Congress of the US attempt to convince the people of California to secede.

As I said at the beginning the issues that Bill Utterback has so fervently brought to our attention, are pertinent to the debate.

And if we want those who question us to become a supporter of Freedom and Independence, we have the responsibility to give them the correct information and the facts each time they ask.



Federal judges have wide powers

by John Hawley

Contempt is not a "formal charge" situation. The contempt is not a violation of a criminal statute and no action is legally needed in balancing the arrest act of the executive branch by a review of a 'magistrate' of the judicial branch. Therefore, there is no "timer limit" within which a 'magistrate's hearing' must be had. The magistrate and the judge hearing the contempt 'trial' will be one and the same.

Contempt is an action started and finished within the judicial branch itself. The typical procedure is for a 'suspect' in a contempt case to be presented with a piece of paper called a "Show Cause Order". This Order demands that the 'suspect' literally demonstrate why he should not be found in contempt. It is almost a demand to prove innocence, but not quite. A Show Cause Order will usually list the facts (often with detail and specificity) that incline the Court to believe that contempt has occurred. After listing the facts which appear to constitute contempt, the Show Cause Order then tells the 'suspect' to appear at a certain time and place and then and there to show cause why the listed facts do not constitute

contempt. It is an opportunity to introduce additional facts which favor the 'suspect' and to make argument that the listed facts are not complete enough in themselves to constitute contempt.

In Richard McLaren's case, I presume that he got the Show Cause Order and refused to appear at the appointed time. The refusal to appear may constitute a second, independent basis for contempt. In any event, I anticipate the next step will be for him to appear at a re-set Show Cause Hearing and (if he fails to show cause [i.e. make some compelling argument or introduce some new and illuminating facts]), then he will be Found to Be in Contempt and jailed immediately as a result. Whether the jailing will be coercive or punitive will depend on the purpose of the Contempt finding, as we have already discussed.

Bottom line— Courts are powerful and that power is useful in checking the excesses of other parts of government, but very little actually checks the courts except other courts, and the fact that the courts themselves do not start the cases that appear before them but wait until unhappy people seek them out.



PROCLAMATION OF THE TRANSITIONAL PLAN OF THE REPUBLIC OF TEXAS

January 7, 1996

IT IS HEREBY ORDERED that the provisions of this proclamation be carried out immediately or within two years from the date of its adoption, at which time the People of the Republic of Texas shall hold a constitutional convention and may adopt or alter the form of government which they deem necessary and proper.

One

The provisional government of the Republic of Texas shall immediately conduct an audit of the current financial condition of the government being replaced, all assets and instruments discovered to be phased into the currency of the Republic based on the natural resources and existing infrastructure, which process shall be completed by and before the time of convention, to an economy based totally on money of intrinsic value.

Two

The provisional government of the Republic of Texas shall immediately order the cessation of all transactions

Official Documents

between the Republic of Texas and the United States of America, until such transactions can be reviewed in the light of existing treaties between the Republic of Texas and the United States of America, and with exception by review of any existing commercial transactions which shall be continued by necessity, pursuant to the needs of the People of the Republic of Texas and its treaties. Said review shall be monitored as needed until the time of convention, and a structured phase-out program implemented, subject to provision One of this proclamation.

Three

Pursuant to provisions One and Two of this proclamation, the provisional government of the Republic of Texas shall take no actions which would restrict, prohibit, or interfere with private commerce or contracts, nor shall allow any de facto agencies yet to be reviewed to do so, or same shall be held liable under the common law of the Republic of Texas.

Four

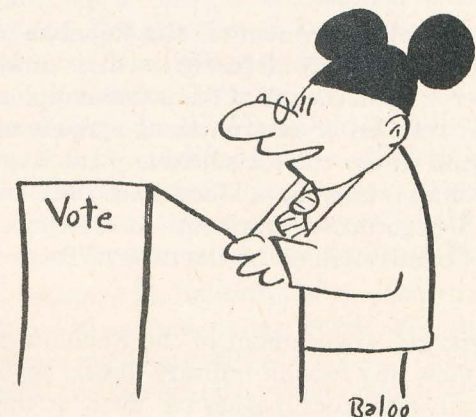
The provisional government of the Republic of Texas shall review and work with existing de facto agencies of the State of Texas in accomplishing one of the following four goals for each agency: a) elimination, b) privatization, c) deregulation / decentralization, or d) reorganization, as encompassed in Exhibit A attached hereto.

Five

Under the requirements of the law of nations, the provisional government of the Republic of Texas shall immediately attach all assets on behalf of the People of the Republic of Texas, to be preserved for same, including any and all accounts controlled, held, or accruing to the State of Texas, whether located within or without the borders of



"Of course, I'm finding for the State, Mr Smith -- who the hell do you think pays my salary?"



"I'll be frank with you -- I feel that the government has a legitimate economic role to play."

Official Documents

the Republic, for the use of the treasury of the Republic for interim transitional needs, to be converted internationally.

Six

The provisional government of the Republic of Texas shall immediately order all agencies of the State of Texas or of the United States of America to cease intervention and interference with the rights of any Citizen of the Republic of Texas, nor shall any statutory court have venue or jurisdiction to conduct any proceeding against any Citizen of the Republic of Texas.

Seven

The provisional government of the Republic of Texas shall immediately continue the institution of common law within the Republic, employing the existing structure and personnel, with the following exceptions: a) no person with a title of nobility shall be allowed to hold public office or to serve in any capacity in the judicial system, pursuant to the Constitution of the Republic of Texas; b) all public officials shall become citizens of the Republic of Texas, pursuant to its constitution; c) said structure shall be reviewed and revised as needed during the transitional period, in order to fully implement the practice of common law within the Republic of Texas.

Eight

The provisional government of the Republic of Texas shall be without recourse to grant amnesty to former elected and appointed officials and officers of the State of Texas, and no officer of the State of Texas shall be resworn as an officer of the Republic of Texas who is or has been encumbered civilly or criminally, either at law or in equity, for misuse or unlawful use of his prior office in his personal or official capacity, in damaging any former citizen of Texas or any Citizen of the Republic of Texas.

Nine

The provisional government of the Republic of Texas shall immediately notify all foreign entities of whatever nature, operating on the soil of Texas under diplomatic or commercial treaties or international agreements, that same are now under the jurisdiction of the Republic of Texas and shall remain in full force and effect, subject to review and negotiation, pursuant to existing treaties under the Constitution of the Republic of Texas.

Ten

The provisional government of the Republic of Texas shall not allow any foreign military forces, agencies, or policing authorities occupation on, over, or under the sovereign soil of the Republic of Texas or inside its boundaries, without express written authorization from the provisional government of the Republic of Texas, pursuant to existing treaties authorized under the common law of the Republic.

Eleven

The provisional government of the Republic of Texas shall immediately order all existing agencies, policing authorities, and military personnel to assist, advise, and enforce the laws of the Republic of Texas in all its endeavors to protect the rights of its Citizens and to secure its borders, pursuant to the law of nations and to existing treaties, under the direction of the provisional government of the Republic.

Twelve

The provisional government of the Republic of Texas shall declare all titles to land in the Republic of Texas to be pursuant to the Constitution of the Republic and to all treaties authorized by the same.

This proclamation constitutes the transitional operations of the provisional government of the Republic of Texas for an interim period until a constitutional convention shall be held, said term to be limited to not more than two years from the date of this order. All laws now in force in the Republic of Texas and not inconsistent with the Constitution of the Republic shall remain in full force until declared void, repealed, altered, or expire by their own limitation.

Hereby proclaimed on this the 7th day of January, 1996.

April 21, 1996

Diplomatic Notice of Perfection of International Relations Between the UNITED STATES OF AMERICA and the "Republic of Texas"

Pursuant to Treaty dated April 25, 1838, declared in force on October 13, 1838

TO: The President and Congress of the UNITED STATES OF AMERICA William Jefferson Clinton, President Albert Gore, Vice President Robert Dole, for the Senate Newt Gingrich, for the House

Greetings:

By delegated authority now comes Richard Lance McLaren, as chief foreign legal officer and diplomatic officer in the position of Chief Ambassador and Consul General for the People and Citizens of the Republic of

Texas by and through their lawfully constituted Provisional Government assembled and certified in accordance with the law of nations on December 12 and 13, 1995, by the lawfully reconstituted National Sovereign Aggregate Body of Citizens of the nation of Texas, claiming as belligerents under the law of nations this status as non-United States Citizens in respect to the Transitional Plan of the Provisional Government of the Republic of Texas, dated January 7, 1996.

The executive and legislative branches of the government of the UNITED STATES OF AMERICA are hereby placed upon lawful notice in accordance with the law of nations to the following; and in pursuance of this notice, lawful demand is hereby made and this notice posted and filed with various nations of the world, demanding that the UNITED STATES OF AMERICA comply with the law of nations and its own requisite treaties of operations and forrign relations law in respect to the reestablished nation of Texas and the rights of its Citizens and People upon the foundations of its creation as a nation on November 13, 1835, as amended March 2, 1836, and March 17, 1836, and in conjunction with a now recertified treaty between the united States of America and the Republic of Texas dated April 25, 1838, as perfected on October 13, 1838.

Political and Judicial Notice of Documents and Exhibits of Record under the Law of Nations

By this diplomatic notice under the law of nations, you are to take political and judicial notice of the below referenced and incorporated documents of record in the reclamation of the independence of the nation of Texas, known as the Republic of Texas, as of November 13, 1835:

1. Show Cause to US Secretary of State, September 18, 1995 2. Pleadings and Affidavit, Texas Supreme Court case No. 95-1002 3. Texas Supreme Court Judgment 95-1002, November 16, 1995 4. Notice of Refusal to US Secretary of State, November 18, 1995 5. Notice of Hearing, US Secretary of State, December 8, 1995 6. Declaration of Delegation dated December 12, 1995 7. Powers and Plans of the Provisional Government of the Republic of Texas dated December 13, 1995 8. Election of Provisional Officers of the Republic of Texas dated December 12, 1995 9. Oaths of Office dated December 12, 1995 10. Declaration of Perfection of the Republic of Texas as a Nation, December 13, 1995 11. Abatement to International Court of Justice No. 94135, December 18, 1995 12. Transitional Plan Of the Republic of Texas, January 7, 1996 13. Quo Warranto on Governor George Bush, January 15, 1996 14. Perfected UCC Foreign Lien No. 021085 on assets of STATE OF TEXAS February 5, 1996 15. Writ of Seizure, February 17, 1996 16. Declaration for Formation of Texas International Grand Juries, February 17, 1996 17. Notice and Request to Nations of the World for Recognition, February 24, 1996 18. Institution of Republic Court System, February 24, 1996 19. Grand Jury Indictments 1, 2, and 3, February 28, 1996 20. Default Judgment of Quo Warranto, March 2 1996 21. Writ of Seizure, District Court of the Republic of

Official Documents

Texas, March 5, 1996 22. Presentation of Claim by Republic of Texas, March 6, 1996 23. Notice to Texas Legislature on Coalition Government, March 17, 1996 24. Notice of Institution of International Trust of TDPS, March 18, 1996 25. Confirmation of TDPS International Trust, March 19, 1996 26. Notice of Disqualification to Courts of the STATE OF TEXAS, March 27, 1996 27. Notice of Federal Court Transfer, US Supreme Court, March 27, 1996

1. That no clause of perpetuity or the right of annexation of a foreign nation ever existed in the Constitution of the united States of America or within the Constitution of the Republic of Texas in 1845 to perfect a permanent union in accord with the law of nations either then or now in effect in accordance with the Foreign Relations Law of the United States with respect to a Joint Resolution dated March 1, 1845.

2. That in accordance with the law of nations the Republic of Texas, operating then in a state of Commonwealth holding, still retained its rights under unperfected treaty to its territory as declared by its legislative bodies on April 29, 1846, by the rights of sovereignty of the People of the Republic of Texas by their initiative and valor.

3. That in February of 1861 the People and their agents of delegation of Texas declared the invalid treaty of 1845, styled as a joint Resolution of March 1, 1845, to be invalid in accordance with the law of nations, and dissolved the union with the United States of America, joined with the lawful states of the Union known as the Confederate States of America, and made war on the remaining members of the UNITED STATES.

4. That the Republic of Texas after the Civil War became a captured nation of war under reconstruction and war powers, and thus remained until by acts of the Sovereign aggregate body of Citizens as described in the preamble to the Texas Constitution of December 29, 1845, in a political subdivision so declared and operational, by acts in convention under the law of nations, the People and Citizens of the Republic of Texas did lawfully dissolve the war powers acts, and did so by reconstituting the common law for remedy under a provisional government and developing a foundational court system and full national character of government for the nation of Texas;

5. That on April 18, 1996 after fully exhausting all lawful procedures of service, notice, challenge, initiative and referendum, both judicially and politically, under the law of nations, the foreign government operating on the Soil of Texas known as the UNITED STATES OF AMERICA and also operating in its lower corporation known as the STATE OF TEXAS has been lawfully extinguished in all elements necessary to prove and validate any potential standings de jure of operations.

Official Documents

Now, therefore, the soil Eminent Domain of Texas being perfected and reclaimed by the lawful Body of its creation, and all cancellatura of foreign instruments by this act now being dissolved in behalf of all of its People and Citizens, known as We the People of the Republic of Texas, by and through its institution of a transitional form of government in accordance with currently accepted customs and practices of the law of nations, the foreign government, its agents, and its lower subdivision and its agents known as the STATE OF TEXAS, are bound under oath to comply with the law of nations as the supreme law of the land.

Mr. President and Congress, you have no choice but to comply with the law of nations and allow the transition to proceed under the law of postliminy, so the people of Texas and all states of the Union can now know the truth and be given the opportunity to judge for themselves and make their decision based on the facts about Texas and the republics known as states.

We have come peacefully and have highest respect for all concerned, but if you fail to regard this as a valid notice in perfecting international relations and continue to plunder the lives and property of our Citizens and People on the Soil of Texas, and refuse to make proper arrangements for vacating the Soil of Texas and relinquishing your operations to the existing coalition government by and through the existing STATE OF TEXAS de facto government, we will regard your continued presence as acts of war involving war crimes against our Citizens and People, and will move in international means of remedy against your government on the Soil of Texas.

Executed this the twenty-first day of April, 1996, the one hundred and sixtieth anniversary of the Battle of San Jancinto.

Richard Lance McLaren Chief Ambassador and Consul General Republic of Texas

cc.

All Nations of the World

US Secretary of State Warren C. Christopher

US Attorney General Janet Reno

US Supreme Court Justice William Rehnquist

US Fifth Circuit Judge Henry Politz

US Federal Judge Lucius D. Bunton III

Governor of Texas George W. Bush

Texas Senate, Bob Bullock

Texas House, James Laney

Texas Supreme Court, Thomas R. Phillips

Texas Attorney General, Dan Morales

Texas DPS, Intemational Trust, James R. Wilson

Secretary General United Nations, Boutros Boutros-gholy

Enclosures:

Declaration of the Perfection of the Transitional Government of the Republic of Texas, December 13, 1995.
Proclamation of the Transitional Plan of the Republic of Texas, January 7, 1996

April 10, 1996

Sent to all the foreign Consulates and Embassies operating on the soil of Texas

Dear Sirs:

This letter serves to inform you that as of December 12-13, 1995, acting under the law of nations, the People and Citizens of the Republic of Texas lawfully recovered the Soil of Texas Eminent Domain. Even though the State Department of the United States is attempting to cover up the fact that Texas has never been lawfully included in the union of states of that nation, in accordance with its own foreign law, the truth is that Texas has now been perfected as a sovereign nation among nations.

Therefore, in accordance with the Transitional Plan for the Provisional Government of the Republic of Texas, dated January 7, 1996, copy of which is enclosed herein, you are hereby given notice that you must contact the Embassy of the Republic of Texas within thirty days from receipt of this notice in order to make agreements for the establishment of diplomatic recognition of the Republic of Texas, thus allowing your country to maintain its consular facilities on the Soil of Texas. Nations with Consulates or Embassies now on the Soil of Texas which fail to establish satisfactory diplomatic relations with the Republic before the expiration of that period will be expected to begin immediate preparation to vacate consular facilities.

Should you fail to contact the diplomatic office of the Republic of Texas within thirty days from receipt of this notice, your response will be viewed as evasive and uncooperative in light of current accepted customs and practices of international law and proper protocol, and immediate legal proceedings will be instituted in a District Court of the Republic for foreclosure against any and all properties being utilized by your country on the Soil of Texas. We would deeply regret the necessity of such action.

It is the fervent hope of the People of the Republic of Texas that we will be able to establish and maintain cordial international relations with your country, and that you will continue to operate your Embassy or Consulate within the Republic in furtherance of world peace and mutual cooperation.

With sincerest regards,

Richard Lance McLaren Chief Ambassador and Consul General Republic of Texas

**THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS PECOS
DIVISION**

STEWART TITLE GUARANTY CO. - PLAINTIFF V. RICHARD LANCE McLAREN, INDIVIDUALLY AND AS PURPORTED "CLASS DEMANDANT" AND AS P-96-CA-06 PURPORTED "CHIEF AMBASSADOR AND CONSUL GENERAL OF THE REPUBLIC) OF TEXAS," THE UPPER LIMPIA BASIN) TRUST, A/K/A UPPER LIMPIA BASIN COMMON LAW TRUST, AND THE PURPORTED "REPUBLIC OF TEXAS" DEFENDANTS.

**MOTION FOR ORDER HOLDING RICHARD
LANCE McLAREN AND THE REPUBLIC OF
TEXAS IN CONTEMPT OF COURT**

TO THE HONORABLE JUDGE OF SAID COURT:

STEWART TITLE GUARANTY CO., Plaintiff herein, and the only party which has sought affirmative relief in this cause, moves for an order of the Court holding RICHARD LANCE McLAREN and the REPUBLIC OF TEXAS in contempt of this Court and in violation of this Court's Preliminary Injunction and, for grounds, would show the Court as follows:

1.

This Court has previously entered its Preliminary Injunction, and has now entered a Permanent Injunction lawfully binding upon RICHARD LANCE McLAREN, which, among other matters, prohibited him from:

(b) filing "any instruments. documents. records. or other materials of any kind in any official or public record of any kind in any forum, including without limitation those maintained by the District Clerk and the County Clerk of Jeff Davis County, Texas, concerning Stewart Title or any of its property, without the prior written authorization of this Court ...";

(c) making. commencing. or prosecuting "any lawsuit ... complaint, or other proceeding of any kind in any forum against or concerning Stewart Title or any of its property based in whole or in part on acts or omissions of Stewart Title in connection with the Davis Mountains Resort Subdivision in Jeff Davis County, Texas, without the prior written authorization of this Court . . .";

(e) holding or attempting to hold or conduct "any hearing, lawsuit, action, or other proceeding under the purported authority of the 'Republic of Texas' against or concerning Stewart Title or any of its property based in whole or in part on acts or omissions of Stewart Title in connection with the Davis Mountains Resort Subdivision in Jeff Davis County, Texas, without the prior written authorization of this Court ..."; and

(g) attempting to hold or conduct "any hearing, lawsuit, action, or other proceeding under the purported authority of the 'Republic of Texas', without the prior written authorization of this Court"

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(Each of the foregoing paragraphs are numbered consistently with this Court's Preliminary Injunction.)

2.

Notwithstanding the valid and subsisting Preliminary and Permanent Injunctions of this Court, fully binding upon RICHARD LANCE McLAREN, he has attempted to file with the County Clerk of Harris County, Texas, on or about March 27, 1996, the Commercial Lien At Law against Stewart Title identical to Exhibit P-3 admitted before this Court in this Court's hearing on Preliminary Injunction.

3.

By such filing, the Defendant, RICHARD LANCE McLAREN. has expressly violated this Court's Preliminary Injunctions and, in particular, Paragraph (b) above.

4.

Also in violation of this Court's Preliminary Injunction, RICHARD LANCE McLAREN has attempted to file with the County Clerk of Jeff Davis County, Texas, and the County Clerk of Harris County, Texas, and perhaps with other clerks and in other forums, the Notice of Disqualification Under the Law of Nations, received by the Clerk of this Court. That Notice demands the remand of this very cause to some court of the apparent creation of RICHARD LANCE McLAREN or the purported 'Republic of Texas' in direct controvention of this Court's Preliminary Injunction, in each of the paragraphs described above.

5.

Also in violation of this Court's Preliminary and Permanent Injunctions, the Defendant, REPUBLIC OF TEXAS, has given notice to various witnesses and third parties that it intends to hold a trial on STEWART TITLE COMPANY, ET AL., V. REPUBLIC OF TEXAS (this case) under a newly assigned cause number, before the 'Republic of Texas, Milam District Court of Common Law Pleas, Common Law Venue; Original and Exclusive Jurisdiction, a Superior Court Sitting With the Power of a District Court, For the People, in and For the Republic of Texas,' in direct controvention of this Court's jurisdiction, Preliminary Injunction and Permanent Injunction. It is the apparent intention of the REPUBLIC OF TEXAS, RICHARD LANCE McLAREN, or both of them, to conduct a new trial of the issues raised in this case, at some motel in Arlington, Texas.

6.

The Defendants, RICHARD LANCE McLAREN and the REPUBLIC OF TEXAS have therefore acted contemptuously of this Court in the presence of the Court, through the Clerk of this Court.

Official Documents

7.

The Plaintiff prays that the Defendant, RICHARD LANCE McLAREN and the REPUBLIC OF TEXAS, be given notice of a time and place when they should appear and show cause why they should not be held in contempt and, upon hearing hereof, that the Defendants, RICHARD LANCE McLAREN and the REPUBLIC OF TEXAS, be held in contempt of court, and that he be ordered incarcerated until such time as they have:

(a) withdrawn any and all liens, commercial liens, or other pleadings, filings or claims against Stewart Title Guaranty Co.;

(b) withdrawn his Notice of Disqualification Under the Law of Nations, and any other attempt he has made to withdraw the jurisdiction of this Court over this cause and the parties to it; and

(c) withdrawn all Notices of Hearing, Notices of Removal, or other attempts to cause this matter and these issues to be heard before any other court in any other location other than the United States District Courtroom, Pecos, Reeves County, Texas.

Throughout his incarceration, RICHARD LANCE McLAREN shall be given sufficient paper and a pen with which to draft the documents necessary to purge himself of contempt herein.

WHEREFORE, PREMISES CONSIDERED, STEWART TITLE GUARANTY CO. prays that this Court issue its order requiring the Defendants, RICHARD LANCE McLAREN and the REPUBLIC OF TEXAS, to appear and show cause, if any he has, why he should not be held in contempt and, upon such hearing, that the Defendant, RICHARD LANCE McLAREN, be held in contempt of this Court, and his incarceration ordered until such time as he purges himself of contempt as aforesaid.

Respectfully submitted

MORGAN, LEETON & MEYERS, P.C. 306 West Wall,
Suite 700 Midland, Texas 79701 (915) 683-0803 FAX:
(915) 682-052

By: Michael T. Morgan State Bar I.D. No. 14449500

ATTORNEYS FOR PLAINTIFF

Thought for the month:

When they took the fourth amendment, I was quiet because I don't deal drugs.

When they took the sixth amendment, I was quiet because I'm innocent.

When they took the second amendment, I was quiet because I don't own a gun.

Now they've taken the first amendment and I can't say anything at all.

(sig., seen on the net)

THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS PECOS DIVISION

STEWART TITLE GUARANTY CO. P-96-CA-6 v.
RICHARD LANCE McLAREN, individually and as
purported "Class Demandant" and as purported "Chief
Ambassador and Consul General of the Republic of Texas"

ORDER TO SHOW CAUSE

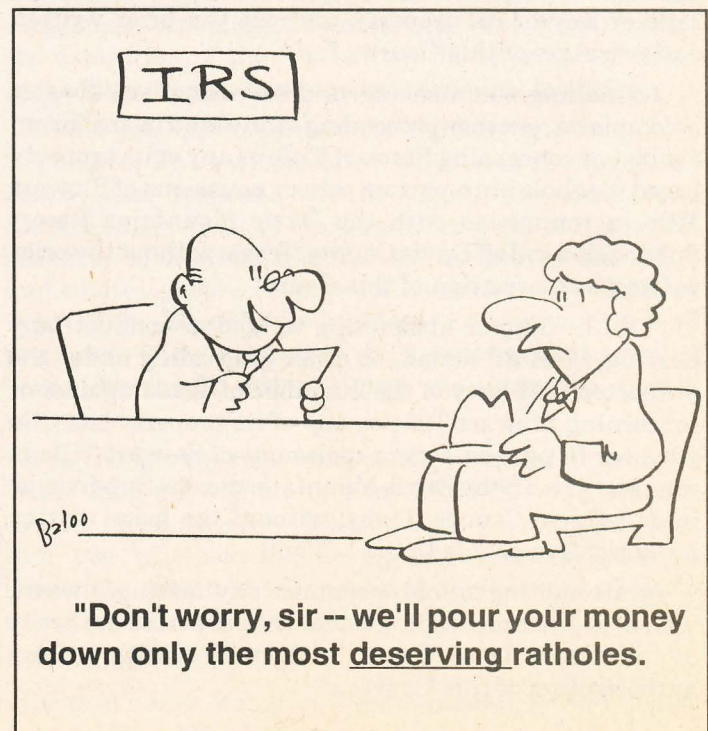
BEFORE THE COURT, in the above-captioned cause of action, is Plaintiff's Motion for Order Holding Richard Lance McLaren, purported Class Demandant, Chief Ambassador and Consul General of the Republic of Texas in Contempt of Court filed on or about April 17, 1996. It is the opinion of the Court that the following Order is appropriate. Accordingly,

IT IS ORDERED that Richard Lance McLaren, purported Class Demandant, Chief Ambassador and Consul General of the Republic of Texas, appear before this Court on the SECOND day of May, 1996, at 12:00 noon, in Pecos, Texas, to show cause, if any, why he should not be held in contempt of court subject to the full range of sanctions and punishments as are available to the Court.

IT IS FURTHER ORDERED that the Plaintiff have Richard Lance McLaren served with this Order and file a return of service with the Court noting the date and time of service.

SIGNED this 18th day of April, 1996.

HONORABLE LUCIUS D. BUNTON III SENIOR U.S.
DISTRICT JUDGE



Refusal to show cause

Embassy of the Republic of Texas

April 27, 1996

To:

William H. Rehnquist, Chief Justice UNITED STATES SUPREME COURT US Supreme Court BLD. Washington D.C. 20542

Henry Politz, Chief Judge UNITED STATES, FIFTH CIRCUIT COURT OF APPEALS 600 Camp Street New Orleans, Louisiana 70130

Lucius D. Bunton III, Senior U.S. Federal Judge 200 E. Wall Street Midland, Texas 79701

Re: Order to Show Cause, dated April 18, 1996 old cause No. P-96-CA-6 or ,006

Marked, returned for failure to show lawful jurisdiction and claim under the law of nations and pursuant to judgment of a proper court of lawful international jurisdiction under the doctrine of reserved domain under the rule of Postliminium

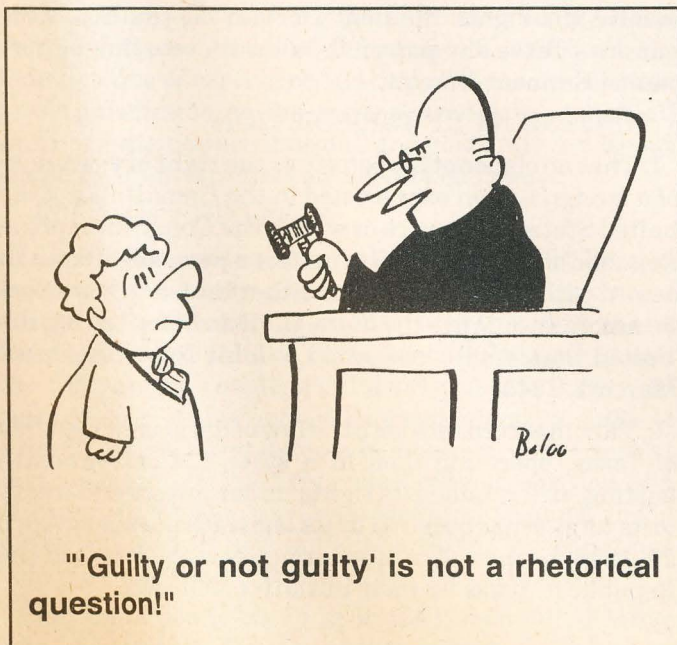
Richard Lance McLaren Chief Ambassador and Consul General Republic of Texas

cc. Deputy US Clerk Karen White

cc. Michael T. Morgan

Attached Endosures:

1. Order to Show Cause, April 18, 1996, Signed by Lucius D. Bunton III, Marked Refused
2. Judgement, Cause No. 96-00747-CL, April 27, 1996, Milam District Court, Republic of Texas
3. Diplomatic Notice of Perfection of International Relations, April 21, 1996, To William Jefferson Clinton, President and the Congress of the UNITED STATES



Official Documents

Formal protest to U.S. and U.N.

Fourth of May, The Year of Our Lord one thousand nine hundred and ninety-six

To:

The President of the united States The Senate of the united States The House of Representative of the united States The Supreme Court of the united States The Attorney General of the united States The Secretary of Treasury The United Nations - U.N. Secretary Boutrous Boutrous-gholi Amnesty International Human Rights Foundation

By and through:

The Secretary of State of the united States, Warren Christopher

Dear Mr. Christopher;

CAUSE:

On this day, our diplomatic ambassador, Richard Lance, McLaren, was captured and forcefully removed from his private property. He is presently being detained by U.S. marshals in a place unknown. The Republic denounces your vicious and unlawful attack on one of our sovereign citizens.

The Republic of Texas:

As you also know, the Republic is a neutral nation as declared by the General Council on the 27th day of December, the year of our Lord one thousand nine hundred and ninety-five. We have no army, air force, or navy; the only protection we have are our natural rights and the aid of God almighty. We have the truth. The truth is that on the twelfth and thirteenth of December in the year of our Lord one thousand nine hundred and ninety-five, the body politic known as the Davis Mountains Land Commission lawfully removed the Republic of Texas from under war powers following your own rules of military procedure. You were given notice and grace; you did not object. In fact NO ONE objected, not even the Hague. The Republic of Texas, by your own failure, is now a Sovereign Nation, under the law of nations. The Republic fulfills ALL criteria of a body politic and a nation under the law of nations. We have a Citizenry of people that willingly pledge allegiance to our country. We have a functioning provisional government for the benefit of these people; we have a lawful court, under American common law; and we have a fully funded treasury in gold and silver coin. We are a lawful country.

Your public policy cannot be justified by fraud. You had notice and grace in the matter of the re-establishment of

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the Republic of Texas. You made NO objections. The Republic of Texas should be no different to you by law than the Balkan Republics were to the Russians. You set the precedent by supporting their "break-away" on the floor of the United Nations. Your timely opportunity to object in the re-instatement of the Republic of Texas has passed. By your own law, failure to object is final.

Our ambassador has diplomatic immunity from your process. Besides, we fear for the safety of our Ambassador because we know that the U.S. marshals no longer swear an oath to the United States Constitution.

COMPLAINT:

This is to Lawfully notify you that:

1. The action of your agents is tantamount to an act of war against this non-belligerent nation. 2. You are in violation of our Treaty of 1838; see attached Diplomatic Notice of Perfection of International Relations. 3. You are in violation of your own foreign relations law in this matter.

DEMANDS:

1. We demand the immediate release of our ambassador, Richard Lance, McLaren. 2. While he is in your custody and care, we demand that he be treated in a manner befitting a diplomatic agent, and that he be granted full rights as a prisoner of war under the third Geneva Convention.

Douglas Ralph, Saint Vice-president of the Provisional Government Republic of Texas

Attest

Donald J. Varnell Secretary of Plans, Powers, Constitution, and Convention Republic of Texas

"Does the government fear us? Or do we fear the government? When the people fear the government, tyranny has found victory. The federal government is our servant, not our master!" - Thomas Jefferson

When even one American—who has done nothing wrong—is forced by fear to shut his mind and close his mouth, then all Americans are in peril.

Harry Truman

Giving money and power to government is like giving whiskey and car keys to teenage boys.

— P.J. O'Rourke, in Parliament of Whores

Judgment of claims by Postliminium

the Republic of Texas

COMMON LAW COURT OF PLEAS

Tarrant county, Milam District A superior court sitting with the power of a District Court of the "Republic of Texas" common law venue; original and exclusive jurisdiction

No's 96-000747-CL, 96-00750-CL, 96-00748-CL, 96-007003-CL 96-00704-CL, 96-00702-CL 96-00749-CL

Stewart Title Guaranty Company, Lucius D. Bunton III, DMPOA Inc., Fran Glaze, Marfa National Bank, Bill Gearhart, Fort Davis State Bank, Jerry Garnett, "STATE OF TEXAS", Bernice Friend, Demandants, Plaintiffs

v. "Republic of Texas", Concerned Property Owners Association, L.D. Whitehead, Carl Pendergrass, Richard Lance McLaren, Taylor Whitehead, Vineyard at the Ridge, Bryan and Grace Cooper, The West Texas Agricultural and Wildlife Research Foundation Respondents, Defendants

JUDGMENT OF CLAIMS BY RULE OF POSTLIMINIUM UNDER THE LAW OF NATIONS

Came on to be presented and heard before this court, which was enabled by the will of the People of the Republic of Texas, by and through their original delegation of authority of March 17, 1836, as amended in accordance with the common law and the law of nations, as recovered on December 12 and 13th, 1995, these actions which were lawfully extradited from a de facto court of the STATE OF TEXAS and the UNITED STATES for the purpose of settling a claim brought by the Demandants against the Respondents, some of who are Citizens of the Republic of Texas. The claims brought forward by the Demandants involve the rights Eminent Domain on the Soil of the nation of Texas and personal claims thereto flowing from claims Eminent Domain.

STATEMENT OF JURISDICTION

1. That no clause of perpetuity or the right of annexation of a foreign nation ever existed in the Constitution of the united States of America or within the Constitution of the Republic of Texas in 1845 to perfect a permanent union in accord with the law of nations either then or now in effect in accordance with the Foreign Relations Law of the United States with respect to a Joint Resolution dated March 1, 1845.

2. That in accordance with the law of nations the Republic of Texas, operating then in a state of Commonwealth holding, still retained its rights under unperfected treaty to its territory as declared by its legislative bodies on April 29, 1846, by the rights of sovereignty of the People of the Republic of Texas by their initiative and valor.

3. That in February of 1861 the People and their agents of delegation of Texas declared the invalid treaty of 1845, styled as a Joint Resolution of March 1, 1845, to be invalid in accordance with the law of nations, and dissolved the union with the United States of America, joined with the lawful states of the Union known as the Confederate States of America, and made war on the remaining members of the UNITED STATES.

4. That the Republic of Texas after the Civil War became a captured nation of war under reconstruction and war powers, and thus remained until by acts of the Sovereign aggregate body of Citizens as described in the Preamble to the Texas Constitution of December 29, 1845, in a political subdivision so declared and operational, by acts in convention under the law of nations, the People and Citizens of the Republic of Texas did lawfully dissolve the war powers acts, and did so by reconstituting the common law for remedy under a provisional government and developing a foundational court system and full national character of government for the nation of Texas.

5. That on April 18, 1996 after fully exhausting all lawful procedures of service, notice, challenge, initiative and referendum, both judicially and politically, under the law of nations, the foreign government operating on the Soil of Texas known as the UNITED STATES OF AMERICA and also operating in its lower corporation known as the STATE OF TEXAS has been lawfully extinguished in all elements necessary to prove and validate any potential standings de jure of operations.

That by this judgment and by the lawful transfer of these actions by a Citizen of the Republic of Texas and by claims on the Soil of Texas against the Republic of Texas this court has perfected Jurisdiction. That the Supreme Court of Texas in Case No. 95-1002 has passed for Want of Jurisdiction on all matters or substances of these causes of action, and pursuant to a Texas International Grand Jury Indictment No. 3 of February 28, 1996, all US federal courts operating on the Soil of Texas are without lawful jurisdiction on the encompassed actions, and all previous decisions are thus null and void and are without operation of law or effect on the Soil of Texas.

FINDINGS AND FACTS

That the Demandants have knowingly, willfully and intentionally actively engaged in a course of conduct of deception, conspiracy, and fraud against the Citizens and People of the Republic of Texas, specifically against and the Citizens and People of Jeff Davis county, Texas, and against some of the named Respondents since 1985 to promote schemes and devices in violation of law, both at law and in equity involving the fictitious creation of a statutory subdivision the Davis Mountains Resort, and in a course of conduct now in violation of the law of nations continue to defraud Citizens of the nation of Texas.

That this action is based upon the former adjudicative facts of prior court decisions involving the entire body of

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this judgment including:

H.O. Biedeger et. al., vs. GLOBAL LAND CO., No. 1085 District Court of Jeff Davis county, Texas, Judgment in favor of Plaintiffs dated April 30, 1975, Attorney for Plaintiffs, now presiding US federal judge Lucius D. Bunton III, tying all of the contractual land fraud schemes to the Demandants by fraudulent covenants and land conveyances in the former de facto STATE OF TEXAS.

UNITED STATES DISTRICT COURT BANKRUPTCY ORDER, GLOBAL LAND CORP. vs. DAVIS MOUNTAINS PROPERTY OWNERS ASSOCIATION, SA-75-Bk-171, 23, June 24, 1975, judgment against the DMPOA.

No. 1373, DMPOA vs Richard L. McLaren District Court of Jeff Davis county, Texas, October 7, 1989, judgment against the DMPOA.

LTB Enterprises et al vs. Richard Lance McLaren et al No. 08-93-00099-CV, Court of Appeals Eight District of Texas, El Paso, January 20, 1994, judgment in favor of McLaren and other Defendants, certifying class action and basis of the Davis Mountains Resort Land Fraud.

JUDICIAL ORDER AND JUDGMENT

It is the determination of this court, having considered all prior acts and actions of default by the Demandants and its agents as Demandants that they lack lawful jurisdiction to operate on the soil of Texas, and that fraud and theft have occurred by the acts of the Demandants against the Respondents in this action. It is hereby ordered by this court that judgment be entered in favor of the Respondents in this action as follows:

SECTION ONE

No. 9600747-CL Previously P-96-CA-006

1. That Stewart Title Guaranty Company, an artificial entity of the de facto STATE OF TEXAS operating on the soil of Texas, is without lawful standing as an active company on the soil of Texas see certified foreign lien on all corporations, law, signature, name, and character of the STATE OF TEXAS which are now owned by the People and Citizens of the Republic of Texas in Eminent Domain claims UCC No. 021085. Therefore, this court awards in favor of the Respondents directly effected the following relief from damages by Stewart Title Guaranty Company:

A. To all individuals holding title insurance policies by Stewart Title Co. to lands in the so-called Davis Mountains Resort award of 3 times the face value of each of these policies in lawful dollars silver troy ounces;

B. To the collective body of landowners of the so-called Davis Mountains Resort, once reorganized in accordance with this judgment, 200,000 dollars lawful silver as troy

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ounces for the reorganization and reconstitution of the community of the Upper Limpia Basin of the Davis Mountains of West Texas;

C. To cover the cost of total resurveying and patent titling to all lands in the so-called Davis Mountains Resort, award for the money being given to William C. Wilson, Texas Land Surveyor from San Angelo, Texas, including his cost to date on establishing the facts and in part the basis of these awards;

D. To the Vineyard at the Ridge Partnership which has assumed losses to their right to do business, to their lands and personal lives and properties, award of 100,000 dollars lawful silver as troy ounces;

2. That the Respondents shall immediately serve Stewart Title Guaranty Company with this judgment, and should the Demandant fail to process said award within 10 days notice of this judgment, the effected Respondents shall have right to levy for sale all assets of said company to satisfy judgment herein.

SECTION TWO

No. 9600750-CL Previously 1572 No. 9600748-CL
Previously 1536

That the organization known as the DMPOA INC., Davis Mountains Property Owners Association Incorporated, is hereby dissolved and all of its assets are frozen and all liens held or claimed by this organization are now permanently dissolved by this judgment until the reorganization of the community assets at a meeting called of all of its land owners from which a comprehensive plan is to be developed and implemented to recover the local environment of the basin, and begin the operation of a community land planning facility. The Jury by this decision directs the District Judge of this court to issue such orders as are required to effect the decision of this judgment and its anticipated remedy.

SECTION THREE

No. 96-00704-CL Previously 173 No. Y6-000703-CL
Previously 647

That the Demandant Marfa National Bank having refused and failed to appear and produce the following documents and exhibits to support its claims:

1. A certified copy of a Judgment finalizing and dissolving the forcible detainer suit old No. Cause 173 formally pending in Jeff Davis county, Texas, awarding possession of the land, tenements, and personal property of Bryan, and Grace Cooper and water well of Richard McLaren to the Marfa National Bank.

2. A judgment reflecting the award of allodial title in any previous action between the Marfa National Bank and Bryan and Grace Cooper.

3. Produce a certified plat or map of record which

reflects the location on the ground to the above-referenced lands which contained the above-referenced tenements which were allegedly vandalized by Rick McLaren, Grace Cooper and Taylor Whitehead, in the alleged Davis Mountains Resort subdivision, which ties to an original corner of an original survey of land patent in the former State of Texas, now the Republic of Texas.

4. Produce all documents or exhibits which reflect that Byran and Grace Cooper, knowingly, willfully and intentionally entered into a contractual agreement with the Marfa National Bank:

A. For use of their promissory note to open a DDA (Demand Deposit Account) with the Federal Reserve Bank and then to lend this same transfer back to them in converted form in the alleged form of valuable consideration;

B. Circumventing the Marfa National Banks position under law to loan lawful money of account of the United States for valuable consideration for the loan to secure any assets of lands, or tenements allegedly pledged in former Cause No. 173;

C. Produce a mortgage signed by Grace and Bryan Cooper to the Marfa National Bank which perfects such mortgage as a negotiable instrument;

That the following judgment is entered in favor of the Respondents Bryan and Grace Cooper of San Angelo, Texas, against the Marfa National Bank, the court having found that Marfa National Bank has unlawfully and without proper title and by acts of deception and fraud attempted to sell the lands and tenements rightfully belonging to the Respondents and that the Respondents Bryan and Grace Cooper be given immediate possession of their lands and tenements, from the Bank and that the parties claiming such by the name of Jerry and Janet Garnett and under a bogus deed issued from the Marfa National Bank be removed from the lands and tenements in question, such order to be issued by the District Judge to the Sheriff of Jeff Davis county for immediate execution, and that upon failure to execute said order, contempt and perjury of oath proceedings be brought against the Sheriff including personal sanctions and penalties for failure to comply with a lawful order of this court.

The Respondents Bryan and Grace Cooper are hereby awarded 50,000 dollars silver troy ounces for deception and perpetration of fraud and damages by the Marfa National Bank. The Respondents shall give notice of this judgment and its award to the Marfa National Bank allowing them 30 days to comply or a Writ of Execution shall issue for the sale of their bank, lands, and properties to satisfy this judgment. In respect to this section of the judgment, the action of Jerry Garnett by the "STATE OF TEXAS" involving trespassing and breaking and entering is dismissed against Richard McLaren, since he had permission to enter the house and property by the lawful owners, Grace and Bryan Cooper, and the property in question still belongs to the Respondents, and Richard

McLaren had rights on the land and in the tenements involving his ownership of the water well on the property, which was sold to him and the Partnership Vineyard at the Ridge/McDonald Ridge Vineyard.

SECTION FOUR

No. 96-00749-CL previously 1610

That the Fort Davis State Bank having been enjoined from further process in the old action and the action being properly extradited by the third party, Richard Lance McLaren, who is directly effected by the action, and as operational member of the Partnership Vineyard at the Ridge, and the Fort Davis State Bank having been subpoenaed for the following documents and exhibits as follows and refusing to appear and contest their claim:

1. Produce all documents or exhibits which reflect that L.D. Whitehead knowingly, willfully and intentionally entered into a contractual agreement with the Fort Davis Bank;

A. For use of a promissory note executed by LD.. Whitehead on December 23, 1992 to open a DDA (Demand Deposit Account) with the Federal Reserve Bank and then to lend this same transfer back to him in a converted form in the alleged form of valuable consideration;

B. Circumventing the Marfa National Banks position under law to loan lawful money of account of the United States for valuable consideration for the loan to secure any assets of lands or tenements allegedly pledged in former Cause No. 173;

2. Produce a mortgage signed by L.D. Whitehead to the Fort Davis Bank which perfects such mortgage as a negotiable instrument.

3. Produce all documents or title instruments or title insurance policies from Stewart Title Co. which reflect that the security for payment mentioned in a Real estate lien note, dated December 23, 1992, had Marketable Title.

Attached Exhibits

1. COUNTER-PLAINTIFF'S ORIGINAL COUNTERCLAIM NO. 1610 2. FINAL SUMMARY JUDGMENT NO. 1610 3. Notice of Rescission of Deed of Trust September 27, 1993 4. William A. Faulk Letter October 1, 1992 5. Fred S. Pfeifer Letter February 9, 1993 6. William A. Faulk March 31, 1993

That the court finds for the Respondents Richard Lance McLaren and the Partnership Vineyard at the Ridge, the court having determined that the Fort Davis State Bank conspired by acts of deception and fraud with the other Demandants against L.D. Whitehead, his partners and business known as Vineyard at the Ridge, and that the court hereby overturns the prior summary judgment entered on April 24, 1995 and signed by Alex Gonzales. The court further finds the promissory note dated December 23, 1992 to be unlawful and in violation of contractual law and is hereby rendered null and void, and

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the court awards damages to the effected Respondents L.D. Whitehead and its partners in amount equal to the demand of the Fort Davis State Bank for its unlawful note and claims against the Respondent L.D. Whitehead. The Respondents shall have all rights to lawful Writ of Execution of this judgment upon notice to the Demandant Fort Davis State Bank.

SECTION FIVE

No. 96-00702-CL Previously 96-00702-CL

It is the judgment of this court in accordance with the uncontested affidavit of William C. Wilson, Texas Land Surveyor of San Angelo, Texas, in this action that the Demandant Bernice Friend sold the referenced lands encompassed within the claims by the Demandant in this action against the West Texas Agricultural and Wildlife Research Foundation and Richard Lance McLaren to Global Land Corporation, the original land developer of the Davis Mountains Resort now non-existent, and that the Foundation and Richard Lance McLaren have held these lands adverse to the said now non-existent owner Global Land Corporation for a period of 17 years. Further, the court upholds the perfected allodial title of the Respondents in this action and dismisses the claims of the Demandant Bernice Friend with prejudice.

So agreed to and ordered on this the 27th day of April in the year of our Lord, nineteen hundred and ninety-six.

Attest: Certified by the District Judge of the Common Law Court of Pleas Tarrant county, District of Milam

District Judge

Acknowledgment under the Seal of the Court
Jesse Doyle, Enloe Clerk of the Court

It had been observed that a pure democracy if it were practicable would be the most perfect government. Experience has proved that no position is more false than this. The ancient democracies in which the people themselves deliberated never possessed one good feature of government. Their very character was tyranny; their figure deformity. - Alexander Hamilton (Speech, June 21, 1788)

"The evils we experience flow from the excess of democracy. The people do not want (that is, do not lack) virtue; but are the dupes of pretended patriots." - Elbridge Gerry (Delegate to the Convention)

Morales rules 'common law' court judgments invalid

by Wesley W. Burnett

State attorney general Dan Morales issued a news release on May 2, 1996, in which he declared that a document "originating from a 'common law' court is not one that is required or permitted by law to be recorded. Also, a purported lien from a 'common law' court is not a lawful instrument and therefore cannot create a lien."

Mr Morales referred to a request from Lavaca County Attorney James Carr about whether a clerk must file a judgment issued by a "common law court." In his news release, Morales said the "question was posed in response to attempted filings in recent years by a group calling itself the 'Republic of Texas.' The group's tactics include harassment of public officials by, among other things, the conducting of 'trials' in self-styled and self-created 'common law' courts."

In a response to Morales, Republic of Texas Chief Foreign Legal Officer Richard L. McLaren pointed out that the Lavaca County issue was unrelated to the Republic of Texas, and that Morales stepped out of his authority to tie his opinion about Lavaca County to the Republic. McLaren emphasized that the Republic of Texas established its Common Law Court of Pleas in accordance with the Republic of Texas 1836 and 1845 Constitutions. He also issued a reminder that the Texas Supreme Court, in its 1994 Case No. 95-1002, removed the state judicial system from any involvement with the Republic of Texas, for lack of jurisdiction. Morales said that a common law "court is not a legally constituted court under the constitution or statutes of this state."

Could be that citizens of the state of Texas will want to become citizens of the Republic, in order to exercise their constitutional right at common law. Morales' opinion, if followed by county and district clerks, will have the affect of completely shutting out millions of Texans from their right to trial by common law. In that case, the Republic of Texas provisional government would be advised to invite would-be citizens to make the switch and discover what Republic citizens have found... the power they possess through their common law courts.

A footnote about Morales' opinion: on page 3 of the official opinion, Morales says:

"We note that if district and county clerks have already accumulated a number of documents related to the so-called 'Republic of Texas,' they may be able to dispose of them in accordance with those portions of the records retention statutes that relate to destruction of records. See Local Gov't Code chs. 202 (terms under which local government records may be destroyed), 203 (duties of

records custodians for local government bodies); see also Gov't Code ch. 441, subch. J (revisions to local government records retention schedules). We caution, however, that local officials should exercise caution in this regard, since section 552.351, Government Code, creates a criminal offense for willful destruction of records, i.e. not in compliance with statutory requirement."

As if to add credence to his opinion, the attorney general also remarked in footnote 5:

"Individuals claiming to be 'citizens' of the 'Republic of Texas' leave no doubt that they mean business, and they routinely issue public threats to 'bring down' government. In a recent address before about 300 supporters at the State Capitol, the 'provisional secretary of defense' of the 'Republic' declared:

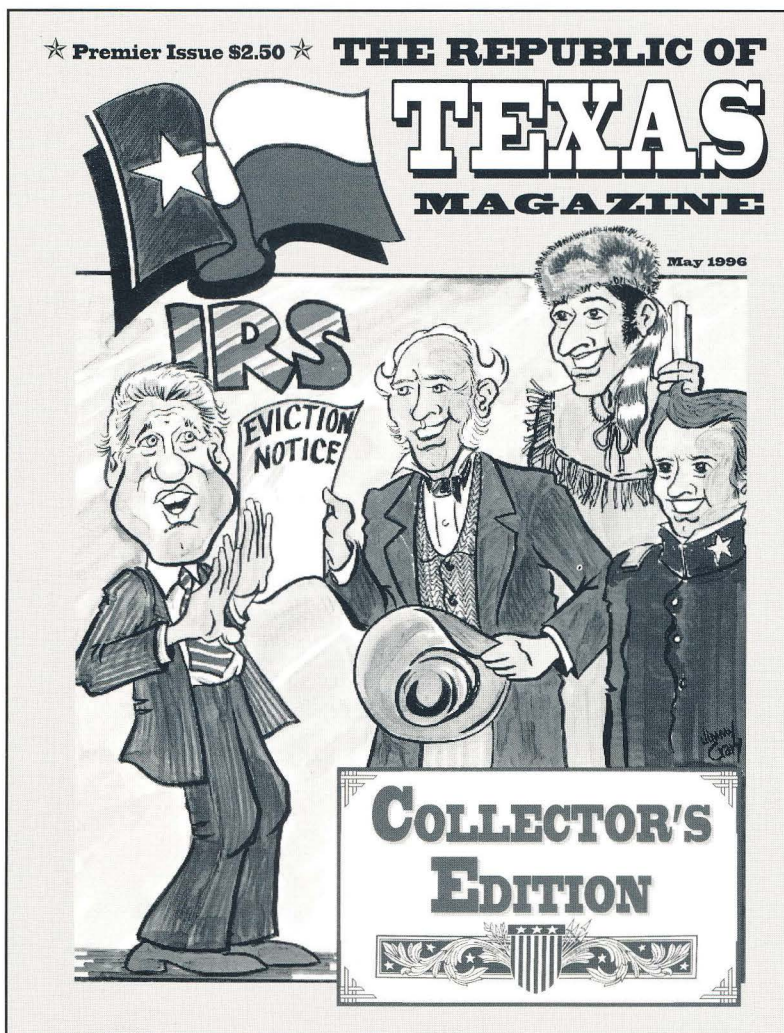
'In about two weeks we crank up to the next round. When we start going after... personal property, it's going to get real serious. If we have to bring the whole government to a halt in order to get legal review before the Legislature so they can determine their lawful status, we'll do it.'"

Typical of the erroneous reporting of Republic of Texas events, Morales was quoting from the San Antonio Express-News of March 19, 1996 in an article written by Jeffrey Needham. The Republic of Texas Magazine publishers were at the capitol within a few paces of the provisional government officers when the above quote was made... not by Archie Lowe, but by Rick McLaren.

McLaren, commenting to the Republic of Texas Magazine from Fort Davis prior to his arrest Saturday, May 4, said that he felt the timing of Morales opinion release was significant... "just a few days before he issued the opinion, the Milam District Court of Common Law Pleas presented Morales with a packet of documents," McLaren said, putting the state on notice that since the Jeff Davis County clerk would not accept judgments issued by the Milam District Court, the Republic of Texas would hold the state and Morales responsible for maintaining the lawful nature of the judgments.

It appears that, for the time being there will be two court systems operating on the soil of Texas... one following statutes and codes, and the other following Constitutionally mandated common law procedures. Only through actual practice and use of common law courts, will Texans begin to realize the reason Morales and other state leaders fear the rebirth of the Republic and common law courts... both are challenges to the closed and prejudicial court systems of the corporate state.

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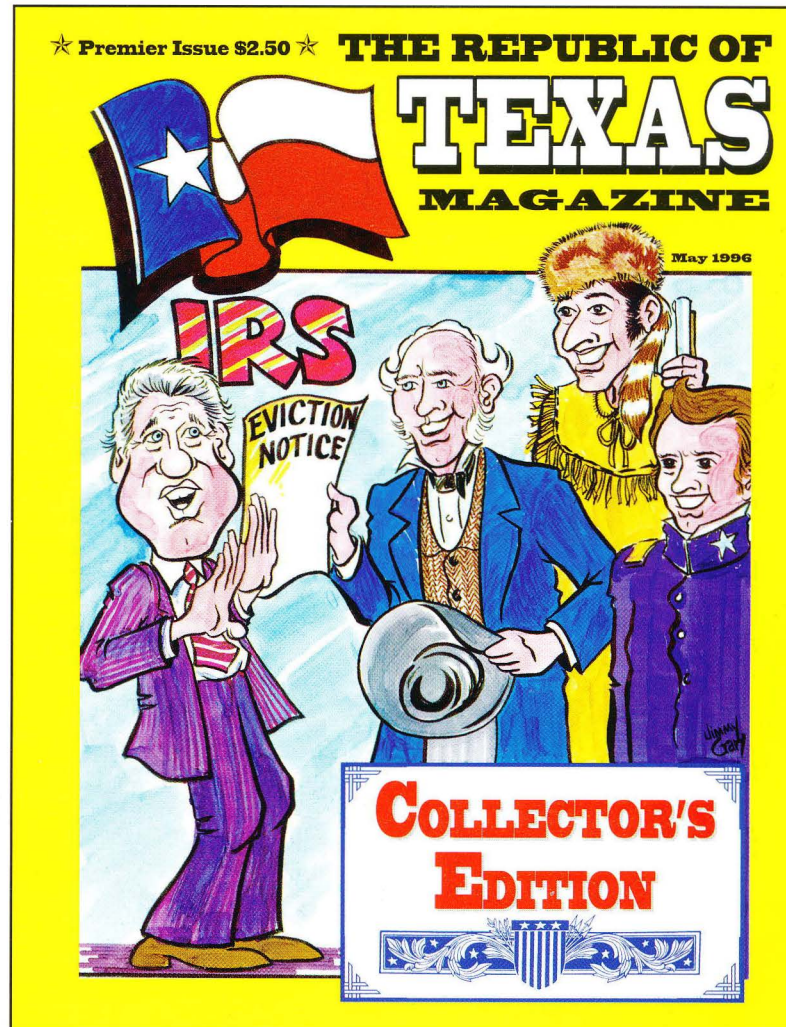
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